

By the Committee on Commerce and Economic Opportunities; and
Senator Diaz de la Portilla

34-515A-02

1 A bill to be entitled
2 An act relating to economic stimulus; amending
3 s. 220.191, F.S.; establishing for a temporary
4 period, eligibility conditions for a new type
5 of qualifying project under the capital
6 investment tax credit program; providing
7 deadlines for certification of businesses and
8 commencement of project construction under such
9 program; revising requirements relating to
10 minimum capital investment; prescribing tax
11 credit limitations; amending s. 288.095, F.S.;
12 revising terminology relating to certain
13 incentive payment schedules; revising the due
14 date and content for an annual report on
15 incentives and reassigning responsibility for
16 such report to Enterprise Florida, Inc.;
17 amending s. 288.1045, F.S.; expanding the tax
18 refund program for qualified defense
19 contractors to include qualified
20 aviation-industry businesses; revising
21 definitions; defining "aviation-industry
22 business"; providing that qualified
23 aviation-industry businesses may seek refunds
24 for aviation fuel taxes paid; conforming
25 procedures for applying for certification under
26 the tax refund program; prescribing information
27 required in applications by aviation-industry
28 businesses; prescribing criteria to be used by
29 the Office of Tourism, Trade, and Economic
30 Development in reviewing applications by
31 aviation-industry businesses; revising the

1 required elements of a tax refund agreement;
2 providing an exemption from mandatory loss of
3 tax refund eligibility and decertification
4 resulting from agreement breach in cases of
5 uncontrollable economic factors; prescribing a
6 deadline for applying for tax refunds; revising
7 conditions and procedures governing
8 applications for tax refunds; revising
9 provisions relating to the order authorizing a
10 tax refund; authorizing the office to grant
11 extensions to certain application and
12 notification deadlines; specifying that the
13 section does not create a presumption a claim
14 will be approved and paid; revising the
15 agencies with which the office may verify
16 information and to which the office may provide
17 information; expanding purposes for which the
18 office may seek assistance from certain
19 entities; amending s. 288.106, F.S., relating
20 to the tax refund program for qualified target
21 industry businesses; consolidating definitions;
22 revising requirements for application for
23 certification as such business with respect to
24 the number of current and new jobs at the
25 business and projections by the Office of
26 Tourism, Trade, and Economic Development of
27 refunds based thereon; revising requirements
28 relating to the tax refund agreement with
29 respect to job creation and the time for filing
30 of claims for refund; providing for an
31 exemption from mandatory loss of tax refund

1 eligibility and decertification resulting from
2 agreement breach in cases of uncontrollable
3 economic factors; revising provisions relating
4 to annual claims for refund; authorizing an
5 extension of time for signing the tax refund
6 agreement; providing an application deadline;
7 revising provisions relating to the order
8 authorizing a tax refund; revising conditions
9 under which a prorated tax refund will be
10 approved; providing for calculation of such
11 prorated tax refund; specifying that the
12 section does not create a presumption that a
13 claim will be approved and paid; revising the
14 agencies with which the office may verify
15 information and to which the office may provide
16 information; expanding purposes for which the
17 office may seek assistance from certain
18 entities; specifying that certain
19 appropriations may not be used for any purpose
20 other than the payment of specified tax
21 refunds; creating the Extended Homeownership
22 Assistance Program within the Florida Housing
23 Finance Corporation; providing for loans to
24 eligible borrowers for down payments or closing
25 costs related to the purchase of residences;
26 providing for repayment of loans; authorizing a
27 fee; requiring deposit and authorizing
28 expenditure of certain revenues; requiring the
29 adoption of rules; providing for future repeal;
30 providing legislative findings relating to the
31 impact of economic downturns on small

1 businesses; directing Enterprise Florida, Inc.,
2 to provide for the establishment of a Small
3 Business Crisis Management Team; prescribing
4 the membership and purposes of such team;
5 requiring participation of designated agencies
6 or organizations; defining the term "small
7 business"; creating ss. 332.201, 332.202,
8 332.203, 332.204, 332.205, 332.206, 332.207,
9 332.208, 332.209, 332.210, and 332.211, F.S.;
10 creating the Florida Airport Authority Act;
11 providing definitions; providing that certain
12 counties shall form an airport authority;
13 providing that certain former military
14 facilities redeveloped and operated as an
15 airport shall be redeveloped and operated by an
16 authority under the act, and providing for
17 membership of the governing body of such
18 authorities; providing for appointment of
19 members of the governing body of an authority;
20 providing for officers, employees, expenses,
21 removal from office, and application of
22 financial disclosure provisions; providing
23 purposes and powers of an authority; providing
24 restrictions on authority powers; providing for
25 issuance of bonds; providing that the county
26 may be appointed as an authority's agent for
27 construction; providing for acquisition of
28 lands and property; providing for cooperation
29 with other units, boards, agencies, and
30 individuals; providing a covenant of the state
31 with respect to bond issuance and agreements

1 with federal agencies; providing an exemption
2 from taxation; providing for applicability;
3 requiring members of the authority to file
4 financial disclosure; creating s. 121.155,
5 F.S.; providing legislative findings relating
6 to the relationship between availability of
7 capital and the development of high-technology
8 businesses; expressing legislative intent that
9 Florida Retirement System investments
10 complement economic development strategies;
11 requiring staff of the State Board of
12 Administration to review certain economic
13 development information; expanding annual
14 report requirements; amending s. 159.26, F.S.;
15 declaring, for purposes of the Florida
16 Industrial Development Financing Act, that the
17 information technology industry is vital to the
18 economy of the state; providing that the
19 advancement of information technology is a
20 purpose underlying the act; amending s. 159.27,
21 F.S.; redefining the term "project" to include
22 information technology facilities; defining the
23 term "information technology facility";
24 amending s. 159.705, F.S.; specifying that
25 certain entities may operate a project located
26 in a research and development park and financed
27 under the Florida Industrial Development
28 Financing Act; amending s. 240.105, F.S.;
29 providing that the mission of the state system
30 of postsecondary education includes supporting
31 economic development of the state; amending s.

1 240.710, F.S.; revising duties relating to the
2 Digital Media Education Coordination Group;
3 eliminating obsolete provisions; providing for
4 the group to submit an annual report; amending
5 s. 288.108, F.S.; specifying that the
6 information technology sector is a high-impact
7 sector for the purposes of a grant program for
8 investments by certain businesses; amending s.
9 445.045, F.S.; reassigning responsibility for
10 development and maintenance of an information
11 technology promotion and workforce recruitment
12 website to Workforce Florida, Inc.; requiring
13 consistency and compatibility with other
14 information systems; authorizing Workforce
15 Florida, Inc., to secure website services from
16 outside entities; requiring coordination of the
17 information technology website with other
18 marketing, promotion, and advocacy efforts;
19 authorizing Workforce Florida, Inc., to act
20 through the Agency for Workforce Innovation in
21 fulfilling its responsibilities related to the
22 website; directing the agency to provide
23 services to Workforce Florida, Inc.; providing
24 legislative findings and intent relating to
25 establishment of joint-use advanced
26 digital-media research and production
27 facilities; authorizing the Office of Tourism,
28 Trade, and Economic Development to create a
29 program supporting establishment of the
30 facilities; prescribing the purposes of the
31 facilities; specifying powers and duties of the

1 office relating to establishment of the
2 facilities; defining the term "digital media";
3 requiring a report to the Legislature on
4 recommended funding levels for the facilities;
5 amending s. 553.415, F.S.; delaying the date
6 for inclusion of the Uniform Code for Public
7 Education Facilities in the Florida Building
8 Code; providing an effective date for the
9 Florida Building Code; amending s. 135 of ch.
10 2000-141, Laws of Florida, and ss. 62(2) and 68
11 of ch. 98-287, Laws of Florida, as amended;
12 delaying the amendment, repeal, and transfer
13 and renumbering of specified sections of the
14 Florida Statutes; amending s. 627.0629, F.S.;
15 delaying a deadline by which insurance
16 companies are required to make certain rate
17 filings; providing for the adoption of an
18 administrative rule; providing for the
19 treatment of permit applications submitted
20 before the effective date of the code;
21 requiring local jurisdictions to enact
22 ordinances establishing wind speed lines;
23 restricting the expenditure of public funds for
24 tourism promotion; providing effective dates.

25
26 Be It Enacted by the Legislature of the State of Florida:

27
28 Section 1. Section 220.191, Florida Statutes, is
29 amended to read:

30 220.191 Capital investment tax credit.--

31 (1) DEFINITIONS.--For purposes of this section:

1 (a) "Commencement of operations" means the beginning
2 of active operations by a qualifying business or qualifying
3 economic stimulus business of the principal function for which
4 a qualifying project was constructed.

5 (b) "Cumulative capital investment" means the total
6 capital investment in land, buildings, and equipment made in
7 connection with a qualifying project or qualifying economic
8 stimulus project during the period from the beginning of
9 construction of the project to the commencement of operations.

10 (c) "Eligible capital costs" means all expenses
11 incurred by a qualifying business or qualifying economic
12 stimulus business in connection with the acquisition,
13 construction, installation, and equipping of a qualifying
14 project or qualifying economic stimulus project during the
15 period from the beginning of construction of the project to
16 the commencement of operations, including, but not limited to:

17 1. The costs of acquiring, constructing, installing,
18 equipping, and financing a qualifying project or qualifying
19 economic stimulus project, including all obligations incurred
20 for labor and obligations to contractors, subcontractors,
21 builders, and materialmen.

22 2. The costs of acquiring land or rights to land and
23 any cost incidental thereto, including recording fees.

24 3. The costs of architectural and engineering
25 services, including test borings, surveys, estimates, plans
26 and specifications, preliminary investigations, environmental
27 mitigation, and supervision of construction, as well as the
28 performance of all duties required by or consequent to the
29 acquisition, construction, installation, and equipping of a
30 qualifying project or qualifying economic stimulus project.

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1 4. The costs associated with the installation of
2 fixtures and equipment; surveys, including archaeological and
3 environmental surveys; site tests and inspections; subsurface
4 site work and excavation; removal of structures, roadways, and
5 other surface obstructions; filling, grading, paving, and
6 provisions for drainage, storm water retention, and
7 installation of utilities, including water, sewer, sewage
8 treatment, gas, electricity, communications, and similar
9 facilities; and offsite construction of utility extensions to
10 the boundaries of the property.

11

12 Eligible capital costs shall not include the cost of any
13 property previously owned or leased by the qualifying business
14 or qualifying economic stimulus business.

15 (d) "Income generated by or arising out of the
16 qualifying project" means the qualifying project's or
17 qualifying economic stimulus project's annual taxable income
18 as determined by generally accepted accounting principles and
19 under s. 220.13.

20 (e) "Jobs" means full-time equivalent positions, as
21 such term is consistent with terms used by the Agency for
22 Workforce Innovation ~~Department of Labor and Employment~~
23 ~~Security~~ and the United States Department of Labor for
24 purposes of unemployment tax administration and employment
25 estimation, resulting directly from a qualifying project or
26 qualifying economic stimulus project in this state. Such term
27 does not include temporary construction jobs involved in the
28 construction of the project facility.

29 (f) "Office" means the Office of Tourism, Trade, and
30 Economic Development.

31

1 (g) "Qualifying business" means a business which
2 establishes a qualifying project in this state and which is
3 certified by the office to receive tax credits under ~~pursuant~~
4 ~~to~~ this section.

5 (h) "Qualifying project" means a new or expanding
6 facility in this state which creates at least 100 new jobs in
7 this state and is in one of the high-impact sectors identified
8 by Enterprise Florida, Inc., and certified by the office under
9 ~~pursuant to~~ s. 288.108(6), including, but not limited to,
10 aviation, aerospace, automotive, and silicon technology
11 industries.

12 (i) "Qualifying economic stimulus business" means a
13 business which establishes a qualifying economic stimulus
14 project and which is certified by the office, on or before
15 April 1, 2002, to receive tax credits under this section.

16 (j) "Qualifying economic stimulus project" means a new
17 or expanding facility in this state which creates at least 50
18 new jobs in this state and is in one of the target industries
19 identified under s. 288.106(1)(o). Construction on a
20 qualifying economic stimulus project must begin on or before
21 December 31, 2002.

22 (2) An annual credit against the tax imposed by this
23 chapter shall be granted to any qualifying business or
24 qualifying economic stimulus business in an amount equal to 5
25 percent of the eligible capital costs generated by a
26 qualifying project or qualifying economic stimulus project,
27 for a period not to exceed 20 years beginning with the
28 commencement of operations of the project. The tax credit
29 shall be granted against only the corporate income tax
30 liability or the premium tax liability generated by or arising
31 out of the qualifying project or qualifying economic stimulus

1 project, and the sum of all tax credits provided under
2 ~~pursuant to~~ this section shall not exceed 100 percent of the
3 eligible capital costs of the project. In no event may any
4 credit granted under this section be carried forward or
5 backward by any qualifying business or qualifying economic
6 stimulus business with respect to a subsequent or prior year.

7 (a) The annual tax credit granted under this section
8 shall not exceed the following percentages of the annual
9 corporate income tax liability or the premium tax liability
10 generated by or arising out of a qualifying project:

11 1.(a) One hundred percent for a qualifying project
12 which results in a cumulative capital investment of at least
13 \$100 million.

14 2.(b) Seventy-five percent for a qualifying project
15 which results in a cumulative capital investment of at least
16 \$50 million but less than \$100 million.

17 3.(c) Fifty percent for a qualifying project which
18 results in a cumulative capital investment of at least \$25
19 million but less than \$50 million.

20 4. Forty percent for a qualifying project on which
21 construction has begun on or before December 31, 2002, and
22 which results in a cumulative capital investment of at least
23 \$15 million but less than \$25 million.

24 (b) The annual tax credit granted under this section
25 shall not exceed the following percentages of the annual
26 corporate income tax liability or the premium tax liability
27 generated by or arising out of a qualifying economic stimulus
28 project:

29 1. Ninety percent if the qualifying economic stimulus
30 project results in a cumulative capital investment of at least
31 \$100 million.

1 2. Sixty-five percent if the qualifying economic
2 stimulus project results in a cumulative capital investment of
3 at least \$50 million but less than \$100 million.

4 3. Forty percent if the qualifying economic stimulus
5 project results in a cumulative capital investment of at least
6 \$25 million but less than \$50 million.

7 4. Thirty percent if the qualifying economic stimulus
8 project results in a cumulative capital investment of at least
9 \$15 million but less than \$25 million.

10
11 A qualifying project or qualifying economic stimulus project
12 which results in a cumulative capital investment of less than
13 ~~\$15~~\$25 million is not eligible for the capital investment tax
14 credit. An insurance company claiming a credit against premium
15 tax liability under this program shall not be required to pay
16 any additional retaliatory tax levied under ~~pursuant to~~ s.
17 624.5091 as a result of claiming such credit. Because credits
18 under this section are available to an insurance company, s.
19 624.5091 does not limit such credit in any manner.

20 (3) Before ~~Prior to~~ receiving tax credits under
21 ~~pursuant to~~ this section, a qualifying business or qualifying
22 economic stimulus business must achieve and maintain the
23 minimum employment goals beginning with the commencement of
24 operations at a qualifying project or qualifying economic
25 stimulus project and continuing each year thereafter during
26 which tax credits are available under ~~pursuant to~~ this
27 section.

28 (4) The office, upon a recommendation by Enterprise
29 Florida, Inc., shall first certify a qualifying business or
30 qualifying economic stimulus business as eligible to receive
31 tax credits under ~~pursuant to~~ this section before ~~prior to~~ the

1 commencement of operations of a qualifying project or
2 qualifying economic stimulus project, and such certification
3 shall be transmitted to the Department of Revenue. Upon
4 receipt of the certification, the Department of Revenue shall
5 enter into a written agreement with the qualifying business or
6 qualifying economic stimulus business specifying, at a
7 minimum, the method by which income generated by or arising
8 out of the qualifying project will be determined.

9 (5) The office, in consultation with Enterprise
10 Florida, Inc., is authorized to develop the necessary
11 guidelines and application materials for the certification
12 process described in subsection (4).

13 (6) It shall be the responsibility of the qualifying
14 business or qualifying economic stimulus business to
15 affirmatively demonstrate to the satisfaction of the
16 Department of Revenue that such business meets the job
17 creation and capital investment requirements of this section.

18 (7) The Department of Revenue may specify by rule the
19 methods by which a qualifying project's or qualifying economic
20 stimulus project's pro forma annual taxable income is
21 determined.

22 Section 2. Paragraphs (b) and (c) of subsection (3) of
23 section 288.095, Florida Statutes, are amended to read:

24 288.095 Economic Development Trust Fund.--

25 (3)

26 (b) The total amount of tax refund claims approved for
27 payment by the Office of Tourism, Trade, and Economic
28 Development based on actual project performance may not exceed
29 the amount appropriated to the Economic Development Incentives
30 Account for such purposes for the fiscal year. In the event
31 the Legislature does not appropriate an amount sufficient to

1 satisfy estimates ~~projections~~ by the office for tax refunds
2 under ss. 288.1045 and 288.106 in a fiscal year, the Office of
3 Tourism, Trade, and Economic Development shall, not later than
4 July 15 of such year, determine the proportion of each refund
5 claim which shall be paid by dividing the amount appropriated
6 for tax refunds for the fiscal year by the estimated ~~projected~~
7 total of refund claims for the fiscal year. The amount of each
8 claim for a tax refund shall be multiplied by the resulting
9 quotient. If, after the payment of all such refund claims,
10 funds remain in the Economic Development Incentives Account
11 for tax refunds, the office shall recalculate the proportion
12 for each refund claim and adjust the amount of each claim
13 accordingly.

14 (c) By December 31 ~~September 30~~ of each year,
15 Enterprise Florida, Inc., ~~the Office of Tourism, Trade, and~~
16 ~~Economic Development~~ shall submit a complete and detailed
17 report to the Governor, the President of the Senate, the
18 Speaker of the House of Representatives, and the director of
19 the Office of Tourism, Trade, and Economic Development ~~board~~
20 ~~of directors of Enterprise Florida, Inc., created under part~~
21 ~~VII of this chapter,~~ of all applications received,
22 recommendations made to the Office of Tourism, Trade, and
23 Economic Development, final decisions issued, tax refund
24 agreements executed, and tax refunds paid or other payments
25 made under all programs funded out of the Economic Development
26 Incentives Account, including analyses of benefits and costs,
27 types of projects supported, and employment and investment
28 created. Enterprise Florida, Inc., ~~The Office of Tourism,~~
29 ~~Trade, and Economic Development~~ shall also include a separate
30 analysis of the impact of such tax refunds on state enterprise
31 zones designated pursuant to s. 290.0065, rural communities,

1 brownfield areas, and distressed urban communities. By
2 ~~December 1 of each year, the board of directors of Enterprise~~
3 ~~Florida, Inc., shall review and comment on the report, and the~~
4 ~~board shall submit the report, together with the comments of~~
5 ~~the board, to the Governor, the President of the Senate, and~~
6 ~~the Speaker of the House of Representatives.~~The report must
7 discuss whether the authority and moneys appropriated by the
8 Legislature to the Economic Development Incentives Account
9 were managed and expended in a prudent, fiducially sound
10 manner. The Office of Tourism, Trade, and Economic Development
11 shall assist Enterprise Florida, Inc., in the collection of
12 data related to business performance and incentive payments.

13 Section 3. Section 288.1045, Florida Statutes, is
14 amended to read:

15 288.1045 ~~Qualified defense contractor~~ Tax refund
16 program for qualified defense contractors and
17 aviation-industry businesses.--

18 (1) DEFINITIONS.--As used in this section:

19 (a) "Consolidation of a Department of Defense
20 contract" means the consolidation of one or more of an
21 applicant's facilities under one or more Department of Defense
22 contracts either from outside this state or from inside and
23 outside this state, into one or more of the applicant's
24 facilities inside this state.

25 (b) "Average wage in the area" means the average of
26 all wages and salaries in the state, the county, or in the
27 standard metropolitan area in which the business unit is
28 located.

29 (c) "Applicant" means any business entity that holds a
30 valid Department of Defense contract, or any business entity
31 that is a subcontractor under a valid Department of Defense

1 contract, ~~or~~ any business entity that holds a valid contract
2 for the reuse of a defense-related facility, or any
3 aviation-industry business as defined in paragraph (r),
4 including all members of an affiliated group of corporations
5 as defined in s. 220.03(1)(b).

6 (d) "Office" means the Office of Tourism, Trade, and
7 Economic Development.

8 (e) "Department of Defense contract" means a
9 competitively bid Department of Defense contract or a
10 competitively bid federal agency contract issued on behalf of
11 the Department of Defense for manufacturing, assembling,
12 fabricating, research, development, or design with a duration
13 of 2 or more years, but excluding any contract to provide
14 goods, improvements to real or tangible property, or services
15 directly to or for any particular military base or
16 installation in this state.

17 (f) "New Department of Defense contract" means a
18 Department of Defense contract entered into after the date
19 application for certification as a qualified applicant is made
20 and after January 1, 1994.

21 (g) "Jobs" means full-time equivalent positions,
22 consistent with the use of such terms by the Agency for
23 Workforce Innovation ~~Department of Labor and Employment~~
24 ~~Security~~ for the purpose of unemployment compensation tax,
25 resulting directly from a project in this state. This number
26 does not include temporary construction jobs involved with the
27 construction of facilities for the project.

28 (h) "Nondefense production jobs" means employment
29 exclusively for activities that, directly or indirectly, are
30 unrelated to the Department of Defense.

31

1 (i) "Project" means any business undertaking in this
2 state under a new Department of Defense contract,
3 consolidation of a Department of Defense contract, or
4 conversion of defense production jobs over to nondefense
5 production jobs or reuse of defense-related facilities. The
6 term also means any business undertaking in this state by an
7 aviation-industry business which results in the retention or
8 creation of jobs in this state and which occurs through a new
9 multistate competitive aviation-industry contract;
10 consolidation of multistate operations; conversion of jobs in
11 aviation-industry operations to nonaviation-industry
12 operations; or expansion of aviation-industry operations,
13 which expansion results in an increase of at least 10 percent
14 in the number of jobs in this state at the business unit.

15 (j) "Qualified applicant" means an applicant that has
16 been approved by the director to be eligible for tax refunds
17 pursuant to this section.

18 (k) "Director" means the director of the Office of
19 Tourism, Trade, and Economic Development.

20 (l) "Taxable year" means the same as in s.
21 220.03(1)(z).

22 (m) "Fiscal year" means the fiscal year of the state.

23 (n) "Business unit" means an employing unit, as
24 defined in s. 443.036, that is registered with the Agency for
25 Workforce Innovation ~~Department of Labor and Employment~~
26 ~~Security~~ for unemployment compensation purposes or means a
27 subcategory or division of an employing unit that is accepted
28 by the Agency for Workforce Innovation ~~Department of Labor and~~
29 ~~Employment Security~~ as a reporting unit.

30 (o) "Local financial support" means funding from local
31 sources, public or private, which is paid to the Economic

1 Development Trust Fund and which is equal to 20 percent of the
2 annual tax refund for a qualified applicant. Local financial
3 support may include excess payments made to a utility company
4 under a designated program to allow decreases in service by
5 the utility company under conditions, regardless of when
6 application is made. A qualified applicant may not provide,
7 directly or indirectly, more than 5 percent of such funding in
8 any fiscal year. The sources of such funding may not include,
9 directly or indirectly, state funds appropriated from the
10 General Revenue Fund or any state trust fund, excluding tax
11 revenues shared with local governments pursuant to law.

12 (p) "Contract for reuse of a defense-related facility"
13 means a contract with a duration of 2 or more years for the
14 use of a facility for manufacturing, assembling, fabricating,
15 research, development, or design of tangible personal
16 property, but excluding any contract to provide goods,
17 improvements to real or tangible property, or services
18 directly to or for any particular military base or
19 installation in this state. Such facility must be located
20 within a port, as defined in s. 313.21, and have been occupied
21 by a business entity that held a valid Department of Defense
22 contract or occupied by any branch of the Armed Forces of the
23 United States, within 1 year of any contract being executed
24 for the reuse of such facility. A contract for reuse of a
25 defense-related facility may not include any contract for
26 reuse of such facility for any Department of Defense contract
27 for manufacturing, assembling, fabricating, research,
28 development, or design.

29 (q) "Local financial support exemption option" means
30 the option to exercise an exemption from the local financial
31 support requirement available to any applicant whose project

1 is located in a county designated by the Rural Economic
2 Development Initiative, if the county commissioners of the
3 county in which the project will be located adopt a resolution
4 requesting that the applicant's project be exempt from the
5 local financial support requirement. Any applicant that
6 exercises this option is not eligible for more than 80 percent
7 of the total tax refunds allowed such applicant under this
8 section.

9 (r) "Aviation-industry business" means a business
10 engaged in activities that support general or commercial
11 aviation, including the construction, repair, or maintenance
12 of aircraft, aircraft power plants, aircraft parts, or
13 aircraft accessories. The term does not include a business
14 engaged in the provision of instruction in flying and related
15 ground subjects.

16 (2) GRANTING OF A TAX REFUND; ELIGIBLE AMOUNTS.--

17 (a) There shall be allowed, from the Economic
18 Development Trust Fund, a refund to a qualified applicant for
19 the amount of eligible taxes certified by the director which
20 were paid by such qualified applicant. The total amount of
21 refunds for all fiscal years for each qualified applicant
22 shall be determined pursuant to subsection (3). The annual
23 amount of a refund to a qualified applicant shall be
24 determined pursuant to subsection (5).

25 (b) A qualified applicant may not be qualified for any
26 project to receive more than \$5,000 times the number of jobs
27 provided in the tax refund agreement pursuant to subparagraph
28 (4)(a)1. A qualified applicant may not receive refunds of more
29 than 25 percent of the total tax refunds provided in the tax
30 refund agreement pursuant to subparagraph (4)(a)1. in any
31 fiscal year, provided that no qualified applicant may receive

1 more than \$2.5 million in tax refunds pursuant to this section
2 in any fiscal year.

3 (c) A qualified applicant may not receive more than
4 \$7.5 million in tax refunds pursuant to this section in all
5 fiscal years.

6 (d) Contingent upon an annual appropriation by the
7 Legislature, the director may approve not more in tax refunds
8 than the amount appropriated to the Economic Development Trust
9 Fund for tax refunds, for a fiscal year pursuant to subsection
10 (5) and s. 288.095.

11 (e) For the first 6 months of each fiscal year, the
12 director shall set aside 30 percent of the amount appropriated
13 for refunds pursuant to this section by the Legislature to
14 provide tax refunds only to qualified applicants who employ
15 500 or fewer full-time employees in this state. Any
16 unencumbered funds remaining undisbursed from this set-aside
17 at the end of the 6-month period may be used to provide tax
18 refunds for any qualified applicants pursuant to this section.

19 (f) After entering into a tax refund agreement
20 pursuant to subsection (4), a qualified applicant may receive
21 refunds from the Economic Development Trust Fund for the
22 following taxes due and paid by the qualified applicant
23 beginning with the applicant's first taxable year that begins
24 after entering into the agreement:

25 1. Taxes on sales, use, and other transactions paid
26 pursuant to chapter 212.

27 2. Corporate income taxes paid pursuant to chapter
28 220.

29 3. Intangible personal property taxes paid pursuant to
30 chapter 199.

31

1 4. Emergency excise taxes paid pursuant to chapter
2 221.

3 5. Excise taxes paid on documents pursuant to chapter
4 201.

5 6. Ad valorem taxes paid, as defined in s.
6 220.03(1)(a) on June 1, 1996.

7 7. Aviation fuel taxes paid pursuant to s. 206.9825 by
8 a qualified aviation-industry business.

9
10 However, a qualified applicant may not receive a tax refund
11 pursuant to this section for any amount of credit, refund, or
12 exemption granted such contractor or aviation-industry
13 business for any of such taxes. If a refund for such taxes is
14 provided by the office, which taxes are subsequently adjusted
15 by the application of any credit, refund, or exemption granted
16 to the qualified applicant other than that provided in this
17 section, the qualified applicant shall reimburse the Economic
18 Development Trust Fund for the amount of such credit, refund,
19 or exemption. A qualified applicant must notify and tender
20 payment to the office within 20 days after receiving a credit,
21 refund, or exemption, other than that provided in this
22 section.

23 (g) Any qualified applicant who fraudulently claims
24 this refund is liable for repayment of the refund to the
25 Economic Development Trust Fund plus a mandatory penalty of
26 200 percent of the tax refund which shall be deposited into
27 the General Revenue Fund. Any qualified applicant who
28 fraudulently claims this refund commits a felony of the third
29 degree, punishable as provided in s. 775.082, s. 775.083, or
30 s. 775.084.

31

1 (h) Funds made available pursuant to this section may
2 not be expended in connection with the relocation of a
3 business from one community to another community in this state
4 unless the Office of Tourism, Trade, and Economic Development
5 determines that without such relocation the business will move
6 outside this state or determines that the business has a
7 compelling economic rationale for the relocation which creates
8 additional jobs.

9 (3) APPLICATION PROCESS; REQUIREMENTS; AGENCY
10 DETERMINATION.--

11 (a) To apply for certification as a qualified
12 applicant pursuant to this section, an applicant must file an
13 application with the office which satisfies the requirements
14 of paragraphs (b) and (e), paragraphs (c) and (e), ~~or~~
15 paragraphs (d) and (e), or paragraphs (j) and (k). An
16 applicant may not apply for certification pursuant to this
17 section after a proposal has been submitted for a new
18 Department of Defense contract, after the applicant has made
19 the decision to consolidate an existing Department of Defense
20 contract in this state for which such applicant is seeking
21 certification, or after the applicant has made the decision to
22 convert defense production jobs to nondefense production jobs
23 for which such applicant is seeking certification. In the case
24 of an aviation-industry business, an applicant may not apply
25 for certification after the business has submitted a final
26 proposal or bid for a multistate competitive aviation-industry
27 contract, made the decision to consolidate multistate
28 operations in this state, made the decision to convert jobs in
29 aviation-industry operations to nonaviation-industry
30 operations, or made the decision to expand aviation-industry
31 operations in this state.

1 (b) Applications for certification based on the
2 consolidation of a Department of Defense contract or a new
3 Department of Defense contract must be submitted to the office
4 as prescribed by the office and must include, but are not
5 limited to, the following information:

6 1. The applicant's federal employer identification
7 number, the applicant's Florida sales tax registration number,
8 and a notarized signature of an officer of the applicant.

9 2. The permanent location of the manufacturing,
10 assembling, fabricating, research, development, or design
11 facility in this state at which the project is or is to be
12 located.

13 3. The Department of Defense contract numbers of the
14 contract to be consolidated, the new Department of Defense
15 contract number, or the "RFP" number of a proposed Department
16 of Defense contract.

17 4. The date the contract was executed or is expected
18 to be executed, and the date the contract is due to expire or
19 is expected to expire.

20 5. The commencement date for project operations under
21 the contract in this state.

22 6. The number of full-time equivalent jobs in this
23 state which are or will be dedicated to the project during the
24 year and the average wage of such jobs.

25 7. The total number of full-time equivalent employees
26 employed by the applicant in this state.

27 8. The percentage of the applicant's gross receipts
28 derived from Department of Defense contracts during the 5
29 taxable years immediately preceding the date the application
30 is submitted.

31 9. The amount of:

1 a. Taxes on sales, use, and other transactions paid
2 pursuant to chapter 212;
3 b. Corporate income taxes paid pursuant to chapter
4 220;
5 c. Intangible personal property taxes paid pursuant to
6 chapter 199;
7 d. Emergency excise taxes paid pursuant to chapter
8 221;
9 e. Excise taxes paid on documents pursuant to chapter
10 201; and
11 f. Ad valorem taxes paid
12
13 during the 5 fiscal years immediately preceding the date of
14 the application, and the projected amounts of such taxes to be
15 due in the 3 fiscal years immediately following the date of
16 the application.
17 10. The estimated amount of tax refunds to be claimed
18 in each fiscal year.
19 11. A brief statement concerning the applicant's need
20 for tax refunds, and the proposed uses of such refunds by the
21 applicant.
22 12. A resolution adopted by the county commissioners
23 of the county in which the project will be located, which
24 recommends the applicant be approved as a qualified applicant,
25 and which indicates that the necessary commitments of local
26 financial support for the applicant exist. Prior to the
27 adoption of the resolution, the county commission may review
28 the proposed public or private sources of such support and
29 determine whether the proposed sources of local financial
30 support can be provided or, for any applicant whose project is
31 located in a county designated by the Rural Economic

1 Development Initiative, a resolution adopted by the county
2 commissioners of such county requesting that the applicant's
3 project be exempt from the local financial support
4 requirement.

5 13. Any additional information requested by the
6 office.

7 (c) Applications for certification based on the
8 conversion of defense production jobs to nondefense production
9 jobs must be submitted to the office as prescribed by the
10 office and must include, but are not limited to, the following
11 information:

12 1. The applicant's federal employer identification
13 number, the applicant's Florida sales tax registration number,
14 and a notarized signature of an officer of the applicant.

15 2. The permanent location of the manufacturing,
16 assembling, fabricating, research, development, or design
17 facility in this state at which the project is or is to be
18 located.

19 3. The Department of Defense contract numbers of the
20 contract under which the defense production jobs will be
21 converted to nondefense production jobs.

22 4. The date the contract was executed, and the date
23 the contract is due to expire or is expected to expire, or was
24 canceled.

25 5. The commencement date for the nondefense production
26 operations in this state.

27 6. The number of full-time equivalent jobs in this
28 state which are or will be dedicated to the nondefense
29 production project during the year and the average wage of
30 such jobs.

31

1 7. The total number of full-time equivalent employees
2 employed by the applicant in this state.

3 8. The percentage of the applicant's gross receipts
4 derived from Department of Defense contracts during the 5
5 taxable years immediately preceding the date the application
6 is submitted.

7 9. The amount of:

8 a. Taxes on sales, use, and other transactions paid
9 pursuant to chapter 212;

10 b. Corporate income taxes paid pursuant to chapter
11 220;

12 c. Intangible personal property taxes paid pursuant to
13 chapter 199;

14 d. Emergency excise taxes paid pursuant to chapter
15 221;

16 e. Excise taxes paid on documents pursuant to chapter
17 201; and

18 f. Ad valorem taxes paid

19
20 during the 5 fiscal years immediately preceding the date of
21 the application, and the projected amounts of such taxes to be
22 due in the 3 fiscal years immediately following the date of
23 the application.

24 10. The estimated amount of tax refunds to be claimed
25 in each fiscal year.

26 11. A brief statement concerning the applicant's need
27 for tax refunds, and the proposed uses of such refunds by the
28 applicant.

29 12. A resolution adopted by the county commissioners
30 of the county in which the project will be located, which
31 recommends the applicant be approved as a qualified applicant,

1 and which indicates that the necessary commitments of local
2 financial support for the applicant exist. Prior to the
3 adoption of the resolution, the county commission may review
4 the proposed public or private sources of such support and
5 determine whether the proposed sources of local financial
6 support can be provided or, for any applicant whose project is
7 located in a county designated by the Rural Economic
8 Development Initiative, a resolution adopted by the county
9 commissioners of such county requesting that the applicant's
10 project be exempt from the local financial support
11 requirement.

12 13. Any additional information requested by the
13 office.

14 (d) Applications for certification based on a contract
15 for reuse of a defense-related facility must be submitted to
16 the office as prescribed by the office and must include, but
17 are not limited to, the following information:

18 1. The applicant's Florida sales tax registration
19 number and a notarized signature of an officer of the
20 applicant.

21 2. The permanent location of the manufacturing,
22 assembling, fabricating, research, development, or design
23 facility in this state at which the project is or is to be
24 located.

25 3. The business entity holding a valid Department of
26 Defense contract or branch of the Armed Forces of the United
27 States that previously occupied the facility, and the date
28 such entity last occupied the facility.

29 4. A copy of the contract to reuse the facility, or
30 such alternative proof as may be prescribed by the office that
31

1 the applicant is seeking to contract for the reuse of such
2 facility.

3 5. The date the contract to reuse the facility was
4 executed or is expected to be executed, and the date the
5 contract is due to expire or is expected to expire.

6 6. The commencement date for project operations under
7 the contract in this state.

8 7. The number of full-time equivalent jobs in this
9 state which are or will be dedicated to the project during the
10 year and the average wage of such jobs.

11 8. The total number of full-time equivalent employees
12 employed by the applicant in this state.

13 9. The amount of:

14 a. Taxes on sales, use, and other transactions paid
15 pursuant to chapter 212.

16 b. Corporate income taxes paid pursuant to chapter
17 220.

18 c. Intangible personal property taxes paid pursuant to
19 chapter 199.

20 d. Emergency excise taxes paid pursuant to chapter
21 221.

22 e. Excise taxes paid on documents pursuant to chapter
23 201.

24 f. Ad valorem taxes paid during the 5 fiscal years
25 immediately preceding the date of the application, and the
26 projected amounts of such taxes to be due in the 3 fiscal
27 years immediately following the date of the application.

28 10. The estimated amount of tax refunds to be claimed
29 in each fiscal year.

30
31

1 11. A brief statement concerning the applicant's need
2 for tax refunds, and the proposed uses of such refunds by the
3 applicant.

4 12. A resolution adopted by the county commissioners
5 of the county in which the project will be located, which
6 recommends the applicant be approved as a qualified applicant,
7 and which indicates that the necessary commitments of local
8 financial support for the applicant exist. Prior to the
9 adoption of the resolution, the county commission may review
10 the proposed public or private sources of such support and
11 determine whether the proposed sources of local financial
12 support can be provided or, for any applicant whose project is
13 located in a county designated by the Rural Economic
14 Development Initiative, a resolution adopted by the county
15 commissioners of such county requesting that the applicant's
16 project be exempt from the local financial support
17 requirement.

18 13. Any additional information requested by the
19 office.

20 (e) To qualify for review by the office, the
21 application of an applicant under paragraph (b), paragraph
22 (c), or paragraph (d) must, at a minimum, establish the
23 following to the satisfaction of the office:

24 1. The jobs proposed to be provided under the
25 application, pursuant to subparagraph (b)6. or subparagraph
26 (c)6., must pay an estimated annual average wage equaling at
27 least 115 percent of the average wage in the area where the
28 project is to be located.

29 2. The consolidation of a Department of Defense
30 contract must result in a net increase of at least 25 percent
31 in the number of jobs at the applicant's facilities in this

1 state or the addition of at least 80 jobs at the applicant's
2 facilities in this state.

3 3. The conversion of defense production jobs to
4 nondefense production jobs must result in net increases in
5 nondefense employment at the applicant's facilities in this
6 state.

7 4. The Department of Defense contract cannot allow the
8 business to include the costs of relocation or retooling in
9 its base as allowable costs under a cost-plus, or similar,
10 contract.

11 5. A business unit of the applicant must have derived
12 not less than 70 percent of its gross receipts in this state
13 from Department of Defense contracts over the applicant's last
14 fiscal year, and must have derived not less than 80 percent of
15 its gross receipts in this state from Department of Defense
16 contracts over the 5 years preceding the date an application
17 is submitted pursuant to this section. This subparagraph does
18 not apply to any application for certification based on a
19 contract for reuse of a defense-related facility.

20 6. The reuse of a defense-related facility must result
21 in the creation of at least 100 jobs at such facility.

22 (f) Each application meeting the requirements of
23 paragraphs (b) and (e), paragraphs (c) and (e), ~~or~~ paragraphs
24 (d) and (e), or paragraphs (j) and (k) must be submitted to
25 the office for a determination of eligibility. The office
26 shall review, evaluate, and score each application based on,
27 but not limited to, the following criteria:

28 1. Expected contributions to the state strategic
29 economic development plan adopted by Enterprise Florida, Inc.,
30 taking into account the extent to which the project
31 contributes to the state's high-technology base, and the

1 long-term impact of the project and the applicant on the
2 state's economy.

3 2. The economic benefit of the jobs created or
4 retained by the project in this state, taking into account the
5 cost and average wage of each job created or retained, and the
6 potential risk to existing jobs.

7 3. The amount of capital investment to be made by the
8 applicant in this state.

9 4. The local commitment and support for the project
10 and applicant.

11 5. The impact of the project on the local community,
12 taking into account the unemployment rate for the county where
13 the project will be located.

14 6. The dependence of the local community on the
15 defense industry.

16 7. The impact of any tax refunds granted pursuant to
17 this section on the viability of the project and the
18 probability that the project will occur in this state if such
19 tax refunds are granted to the applicant, taking into account
20 the expected long-term commitment of the applicant to economic
21 growth and employment in this state.

22 8. The length of the project, or the expected
23 long-term commitment to this state resulting from the project.

24 (g) The office shall forward its written findings and
25 evaluation on each application meeting the requirements of
26 paragraphs (b) and (e), paragraphs (c) and (e), ~~or~~ paragraphs
27 (d) and (e), or paragraphs (j) and (k) to the director within
28 60 calendar days after ~~of~~ receipt of a complete application.
29 The office shall notify each applicant when its application is
30 complete, and when the 60-day period begins. In its written
31 report to the director, the office shall specifically address

1 each of the factors specified in paragraph (f), and shall make
2 a specific assessment with respect to the minimum requirements
3 established in paragraph (e) or paragraph (k). The office
4 shall include in its report projections of the tax refund
5 claims that will be sought by the applicant in each fiscal
6 year based on the information submitted in the application.

7 (h) Within 30 days after receipt of the office's
8 findings and evaluation, the director shall enter a final
9 order that either approves or disapproves an application. The
10 decision must be in writing and provide the justifications for
11 either approval or disapproval. If appropriate, the director
12 shall enter into a written agreement with the qualified
13 applicant pursuant to subsection (4).

14 (i) The director may not enter any final order that
15 certifies any applicant as a qualified applicant when the
16 value of tax refunds to be included in that final order
17 exceeds the available amount of authority to enter final
18 orders as determined in s. 288.095(3). A final order that
19 approves an application must specify the maximum amount of a
20 tax refund that is to be available to the contractor in each
21 fiscal year and the total amount of tax refunds for all fiscal
22 years.

23 (j) Applications for certification from
24 aviation-industry businesses must be submitted to the office
25 no later than June 30, 2003, as prescribed by the office and
26 under the conditions contained in paragraph (3)(a), and must
27 include, but are not limited to, the following information:

28 1. The applicant's federal employer identification
29 number, the applicant's Florida sales tax registration number,
30 the applicant's unemployment compensation account number, and
31 a notarized signature of an officer of the applicant.

1 2. The permanent location of the applicant's facility
2 in this state at which the project is or is to be located.

3 3. A description of the type of business activity or
4 product covered by this project. In addition, an
5 aviation-industry business must submit, in a manner prescribed
6 by the office, detailed information on the contract,
7 consolidation, conversion, or expansion activity that will
8 provide the basis for tax refunds, as provided in paragraphs
9 (1)(i) and (3)(a). The office, using criteria developed by the
10 office in conjunction with Enterprise Florida, Inc., must
11 determine whether the activity satisfies the requirements of
12 paragraphs (1)(i) and (3)(a).

13 4. The number of full-time equivalent jobs in this
14 state which are or will be dedicated to the project and the
15 average wage of such jobs.

16 5. The total number of full-time equivalent employees
17 employed by the applicant in this state as of the date of
18 application.

19 6. The anticipated commencement date of the project.

20 7. A brief statement concerning the applicant's need
21 for tax refunds and concerning the role that the tax refunds
22 will play in the decision of the applicant to secure a new
23 contract, consolidate operations, convert to
24 nonaviation-industry operations, or expand aviation-industry
25 operations, as provided in paragraph (3)(a).

26 8. An estimate of the proportion of the sales
27 resulting from the project that will be made outside the
28 state.

29 9. A resolution adopted by the governing body of the
30 county or municipality in which the project will be located,
31 which resolution recommends that certain types of businesses

1 be approved as qualified aviation-industry businesses and
2 states that the commitments of local financial support
3 necessary for the aviation-industry business exist. Before
4 passage of the resolution, the office may also accept an
5 official letter from an authorized local economic development
6 agency that endorses the proposed aviation-industry project
7 and pledges that sources of local financial support for such
8 project exist. For the purposes of making pledges of local
9 financial support under this subsection, the authorized local
10 economic development agency shall be officially designated by
11 the passage of a one-time resolution by the local governing
12 body.

13 10. Any additional information requested by the
14 office.

15 (k) To qualify for review by the office, the
16 application of an aviation-industry business must, at a
17 minimum, establish the following to the satisfaction of the
18 office:

19 1. The jobs proposed to be provided under the
20 application, pursuant to subparagraph (j)4., must pay an
21 estimated annual average wage equaling at least 100 percent of
22 the average private-sector wage in the area where the business
23 is to be located or the statewide private-sector average wage.
24 The office may waive this average wage requirement at the
25 request of the local governing body recommending the project
26 and Enterprise Florida, Inc. The wage requirement may only be
27 waived for a project located in a brownfield area designated
28 under s. 376.80, in a rural city or county as defined in s.
29 288.106(1), or in an enterprise zone as designated under s.
30 290.0065 and only when the merits of the individual project or
31 the specific circumstances in the community in relationship to

1 the project warrant such action. If the local governing body
2 and Enterprise Florida, Inc., make such a request, they must
3 transmit it in writing and explain the specific justification
4 for the waiver request. If the director elects to waive the
5 wage requirements, the director must state the waiver in
6 writing and must explain the reasons for granting the waiver.

7 2. The aviation-industry business's project must
8 result in the retention or creation of at least 5 jobs at such
9 project and, if an expansion of an existing business, must
10 result in a net increase in employment of not less than 10
11 percent at such business. At the request of the local
12 governing body recommending the project and Enterprise
13 Florida, Inc., the office may define an "expansion of an
14 existing business" for purposes of a rural community, as
15 defined in s. 288.106(1), or an enterprise zone as the
16 expansion of a business resulting in a net increase in
17 employment of less than 10 percent at such business if the
18 merits of the individual project or the specific circumstances
19 in the community in relationship to the project warrant such
20 action. If the local governing body and Enterprise Florida,
21 Inc., make such a request, they must transmit it in writing
22 and explain the specific justification for the request. If the
23 director elects to grant such request, the director must state
24 such election in writing and must explain the reason for
25 granting the request.

26 3. In the case of an application based on the
27 retention of jobs in this state, the aviation-industry
28 business must demonstrate, and the office must determine, that
29 the jobs that are to provide a basis for tax refunds are at
30 imminent risk of being lost to the state and that
31 certification as a qualified aviation-industry business under

1 this section is a significant factor in the retention of those
2 jobs.

3 (1)(j) This section does not create a presumption that
4 an applicant should receive any tax refunds under this
5 section.

6 (4) ~~QUALIFIED DEFENSE CONTRACTOR TAX REFUND~~
7 ~~AGREEMENT.--~~

8 (a) A qualified applicant shall enter into a written
9 agreement with the office containing, but not limited to, the
10 following:

11 1. The total number of full-time equivalent jobs in
12 this state that are or will be dedicated to the qualified
13 applicant's project, the average wage of such jobs, the
14 definitions that will apply for measuring the achievement of
15 these terms during the pendency of the agreement, and a time
16 schedule or plan for when such jobs will be in place and
17 active in this state. ~~This information must be the same as the~~
18 ~~information contained in the application submitted by the~~
19 ~~contractor pursuant to subsection (3).~~

20 2. The maximum amount of a refund that the qualified
21 applicant is eligible to receive for in each fiscal year,
22 based on the job creation or retention and maintenance
23 schedule specified in subparagraph 1.

24 3. An agreement with the office allowing the office to
25 review and verify the financial and personnel records of the
26 qualified applicant to ascertain whether the qualified
27 applicant is complying with the requirements of this section.

28 4. The date by after which, in each fiscal year, the
29 qualified applicant may file a ~~an annual~~ claim pursuant to
30 subsection (5) to be considered to receive a tax refund in the
31 following fiscal year.

1 5. That local financial support shall be annually
2 available and will be paid to the Economic Development Trust
3 Fund.

4 (b) Compliance with the terms and conditions of the
5 agreement is a condition precedent for receipt of tax refunds
6 each year. The failure to comply with the terms and conditions
7 of the agreement shall result in the loss of eligibility for
8 receipt of all tax refunds previously authorized pursuant to
9 this section, and the revocation of the certification as a
10 qualified applicant by the director, unless the applicant is
11 eligible to receive and elects to accept a prorated refund
12 under paragraph (5)(g) or the office grants the business an
13 economic-stimulus exemption.

14 1. A qualified applicant may submit, in writing, a
15 request to the office for an economic-stimulus exemption. The
16 request must provide quantitative evidence demonstrating how
17 negative economic conditions in the business's industry
18 prevented the business from complying with the terms and
19 conditions of its tax refund agreement.

20 2. Upon receipt of a request under subparagraph 1.,
21 the director shall have 45 days to notify the requesting
22 business, in writing, if its exemption has been granted or
23 denied. In determining whether an exemption should be granted,
24 the director shall consider the extent to which negative
25 economic conditions in the requesting business's industry
26 prevented the business from complying with the terms and
27 conditions of its tax refund agreement.

28 3. As a condition for receiving a prorated refund
29 under paragraph (5)(d) or an economic-stimulus exemption under
30 this paragraph, a qualified applicant must agree to
31 renegotiate its tax refund agreement with the office to, at a

1 minimum, ensure that the terms of the agreement comply with
2 current law and office procedures governing application for
3 and award of tax refunds. Upon approving the award of a
4 prorated refund or granting an economic-stimulus exemption,
5 the office shall renegotiate the tax refund agreement with the
6 business as required by this subparagraph. When amending the
7 agreement of a business receiving an economic-stimulus
8 exemption, the office may extend the duration of the agreement
9 for a period not to exceed 1 year.

10 4. A qualified applicant may submit a request for an
11 economic-stimulus exemption to the office in lieu of any tax
12 refund claim scheduled to be submitted after June 30, 2001,
13 but before July 1, 2003.

14 5. A qualified applicant that receives an
15 economic-stimulus exemption may not receive a tax refund for
16 the period covered by the exemption.

17 (c) The agreement shall be signed by the director and
18 the authorized officer of the qualified applicant.

19 (d) The agreement must contain the following legend,
20 clearly printed on its face in bold type of not less than 10
21 points:

22
23 "This agreement is neither a general obligation
24 of the State of Florida, nor is it backed by
25 the full faith and credit of the State of
26 Florida. Payment of tax refunds are conditioned
27 on and subject to specific annual
28 appropriations by the Florida Legislature of
29 funds sufficient to pay amounts authorized in
30 s. 288.1045, Florida Statutes."
31

1 (5) ANNUAL CLAIM FOR REFUND ~~FROM A QUALIFIED DEFENSE~~
2 ~~CONTRACTOR.~~--

3 (a) To be eligible to claim any scheduled tax refund,
4 qualified applicants who have entered into a written agreement
5 with the office pursuant to subsection (4) and who have
6 entered into a valid new Department of Defense contract,
7 commenced the consolidation of a Department of Defense
8 contract, commenced the conversion of defense production jobs
9 to nondefense production jobs, ~~or who have~~ entered into a
10 valid contract for reuse of a defense-related facility, or
11 commenced a qualified aviation-industry project must ~~may~~ apply
12 by January 31 of ~~once~~ each fiscal year to the office for tax
13 refunds scheduled to be paid from the appropriation for the
14 fiscal year that begins on July 1 following the January 31
15 claims-submission date. The office may, upon written request,
16 grant a 30-day extension of the filing date.The application
17 ~~must be made on or after the date contained in the agreement~~
18 ~~entered into pursuant to subsection (4) and~~ must include a
19 notarized signature of an officer of the applicant.

20 (b) The claim for refund by the qualified applicant
21 must include a copy of all receipts pertaining to the payment
22 of taxes for which a refund is sought, and data related to
23 achieving each performance item contained in the tax refund
24 agreement pursuant to subsection (4). The amount requested as
25 a tax refund may not exceed the amount for the relevant fiscal
26 year in the written agreement entered pursuant to subsection
27 (4).

28 (c) A tax refund may not be approved for any qualified
29 applicant unless local financial support has been paid to the
30 Economic Development Trust Fund for ~~in~~ that refund ~~fiscal~~
31 ~~year~~. If the local financial support is less than 20 percent

1 of the approved tax refund, the tax refund shall be reduced.
2 The tax refund paid may not exceed 5 times the local financial
3 support received. Funding from local sources includes tax
4 abatement under s. 196.1995 provided to a qualified applicant.
5 The amount of any tax refund for an applicant approved under
6 this section shall be reduced by the amount of any such tax
7 abatement, and the limitations in subsection (2) and paragraph
8 (3)(h) shall be reduced by the amount of any such tax
9 abatement. A report listing all sources of the local financial
10 support shall be provided to the office when such support is
11 paid to the Economic Development Trust Fund.

12 (d) The director, with assistance from the office, the
13 Department of Revenue, and the Agency for Workforce Innovation
14 ~~Department of Labor and Employment Security~~, shall, by June 30
15 following the scheduled date for submitting the tax-refund
16 claim, specify by written order the approval or disapproval of
17 the tax refund claim and, if approved, determine the amount of
18 the tax refund that is authorized to be paid to for the
19 qualified applicant for the ~~fiscal year in a written final~~
20 ~~order within 30 days after the date the claim for the annual~~
21 ~~tax refund is received by the office.~~ The office may grant an
22 extension of this date upon the request of the qualified
23 applicant for the purpose of filing additional information in
24 support of the claim.

25 (e) The total amount of tax refunds approved by the
26 director under this section in any fiscal year may not exceed
27 the amount appropriated to the Economic Development Trust Fund
28 for such purposes for the fiscal year. If the Legislature does
29 not appropriate an amount sufficient to satisfy projections by
30 the office for tax refunds in a fiscal year, the director
31 shall, not later than July 15 of such year, determine the

1 proportion of each refund claim which shall be paid by
2 dividing the amount appropriated for tax refunds for the
3 fiscal year by the projected total amount of refund claims for
4 the fiscal year. The amount of each claim for a tax refund
5 shall be multiplied by the resulting quotient. If, after the
6 payment of all such refund claims, funds remain in the
7 Economic Development Trust Fund for tax refunds, the director
8 shall recalculate the proportion for each refund claim and
9 adjust the amount of each claim accordingly.

10 (f) Upon approval of the tax refund pursuant to
11 paragraphs (c) and (d), the Comptroller shall issue a warrant
12 for the amount included in the final order. In the event of
13 any appeal of the final order, the Comptroller may not issue a
14 warrant for a refund to the qualified applicant until the
15 conclusion of all appeals of the final order.

16 (g) A prorated tax refund, less a 5 percent penalty,
17 shall be approved for a qualified applicant provided all other
18 applicable requirements have been satisfied and the applicant
19 proves to the satisfaction of the director that it has
20 achieved at least 80 percent of its projected employment and
21 that the average wage paid by the business is at least 90
22 percent of the average wage specified in the tax refund
23 agreement, but in no case less than 115 percent, or 100
24 percent in the case of a qualified aviation-industry business,
25 of the average private-sector wage in the area available at
26 the time of the claim. The prorated tax refund shall be
27 calculated by multiplying the tax refund amount for which the
28 qualified applicant would have been eligible, if all
29 applicable requirements had been satisfied, by the percentage
30 of the average employment specified in the tax refund
31 agreement which was achieved, and by the percentage of the

1 average wages specified in the tax refund agreement which was
2 achieved.

3 (h) This section does not create a presumption that a
4 tax refund claim will be approved and paid.

5 (6) ADMINISTRATION.--

6 (a) The office may adopt rules pursuant to chapter 120
7 for the administration of this section.

8 (b) The office may verify information provided in any
9 claim submitted for tax credits under this section with regard
10 to employment and wage levels or the payment of the taxes with
11 the appropriate agency or authority including the Department
12 of Revenue, the Department of Labor and Employment Security,
13 or any local government or authority.

14 (c) To facilitate the process of monitoring and
15 auditing applications made under this program, the office may
16 provide a list of qualified applicants to the Department of
17 Revenue, the Agency for Workforce Innovation ~~Department of~~
18 ~~Labor and Employment Security~~, or to any local government or
19 authority. The office may request the assistance of said
20 entities with respect to monitoring jobs, wages, and the
21 payment of the taxes listed in subsection (2).

22 (d) By December 1 of each year, the office shall
23 submit a complete and detailed report to the Governor, the
24 President of the Senate, and the Speaker of the House of
25 Representatives of all tax refunds paid under this section,
26 including analyses of benefits and costs, types of projects
27 supported, employment and investment created, geographic
28 distribution of tax refunds granted, and minority business
29 participation. The report must indicate whether the moneys
30 appropriated by the Legislature to the qualified applicant tax
31

1 refund program were expended in a prudent, fiducially sound
2 manner.

3 (e) Funds specifically appropriated for the tax refund
4 program under this section may not be used for any purpose
5 other than the payment of tax refunds authorized by this
6 section.

7 (7) EXPIRATION.--An applicant may not be certified as
8 qualified under this section after June 30, 2004.

9 Section 4. Paragraphs (a) and (d) of subsection (3),
10 paragraphs (a), (b), and (c) of subsection (4), and
11 subsections (5) and (6) of section 288.106, Florida Statutes,
12 are amended, and subsection (7) of that section is reenacted,
13 to read:

14 288.106 Tax refund program for qualified target
15 industry businesses.--

16 (3) APPLICATION AND APPROVAL PROCESS.--

17 (a) To apply for certification as a qualified target
18 industry business under this section, the business must file
19 an application with the office before the business has made
20 the decision to locate a new business in this state or before
21 the business had made the decision to expand an existing
22 business in this state. The application shall include, but is
23 not limited to, the following information:

24 1. The applicant's federal employer identification
25 number and the applicant's state sales tax registration
26 number.

27 2. The permanent location of the applicant's facility
28 in this state at which the project is or is to be located.

29 3. A description of the type of business activity or
30 product covered by the project, including four-digit SIC codes
31 for all activities included in the project.

1 4. The number of net new full-time equivalent Florida
2 jobs at the qualified target industry business as of December
3 31 of each year included in ~~this state that are or will be~~
4 ~~dedicated to~~ the project and the average wage of those jobs.
5 If more than one type of business activity or product is
6 included in the project, the number of jobs and average wage
7 for those jobs must be separately stated for each type of
8 business activity or product.

9 5. The total number of full-time equivalent employees
10 employed by the applicant in this state.

11 6. The anticipated commencement date of the project.

12 7. A brief statement concerning the role that the tax
13 refunds requested will play in the decision of the applicant
14 to locate or expand in this state.

15 8. An estimate of the proportion of the sales
16 resulting from the project that will be made outside this
17 state.

18 9. A resolution adopted by the governing board of the
19 county or municipality in which the project will be located,
20 which resolution recommends that certain types of businesses
21 be approved as a qualified target industry business and states
22 that the commitments of local financial support necessary for
23 the target industry business exist. In advance of the passage
24 of such resolution, the office may also accept an official
25 letter from an authorized local economic development agency
26 that endorses the proposed target industry project and pledges
27 that sources of local financial support for such project
28 exist. For the purposes of making pledges of local financial
29 support under this subsection, the authorized local economic
30 development agency shall be officially designated by the

31

1 passage of a one-time resolution by the local governing
2 authority.

3 10. Any additional information requested by the
4 office.

5 (d) The office shall forward its written findings and
6 evaluation concerning each application meeting the
7 requirements of paragraph (b) to the director within 45
8 calendar days after receipt of a complete application. The
9 office shall notify each target industry business when its
10 application is complete, and of the time when the 45-day
11 period begins. In its written report to the director, the
12 office shall specifically address each of the factors
13 specified in paragraph (c) and shall make a specific
14 assessment with respect to the minimum requirements
15 established in paragraph (b). The office shall include in its
16 report projections of the tax refunds the business would be
17 eligible to receive ~~refund claim that will be sought by the~~
18 ~~target industry business~~ in each fiscal year based on the
19 creation and maintenance of the net new Florida jobs specified
20 in subparagraph (a)4. as of December 31 of the preceding state
21 fiscal year ~~information submitted in the application.~~

22 (4) TAX REFUND AGREEMENT.--

23 (a) Each qualified target industry business must enter
24 into a written agreement with the office which specifies, at a
25 minimum:

26 1. The total number of full-time equivalent jobs in
27 this state that will be dedicated to the project, the average
28 wage of those jobs, the definitions that will apply for
29 measuring the achievement of these terms during the pendency
30 of the agreement, and a time schedule or plan for when such
31 jobs will be in place and active in this state. ~~This~~

1 ~~information must be the same as the information contained in~~
2 ~~the application submitted by the business under subsection~~
3 ~~(3).~~

4 2. The maximum amount of tax refunds which the
5 qualified target industry business is eligible to receive on
6 the project and the maximum amount of a tax refund that the
7 qualified target industry business is eligible to receive for
8 in each fiscal year, based on the job creation and maintenance
9 schedule specified in subparagraph 1.

10 3. That the office may review and verify the financial
11 and personnel records of the qualified target industry
12 business to ascertain whether that business is in compliance
13 with this section.

14 4. The date by ~~after~~ which, in each fiscal year, the
15 qualified target industry business may file a a ~~an annual~~ claim
16 under subsection (5) to be considered to receive a tax refund
17 in the following fiscal year.

18 5. That local financial support will be annually
19 available and will be paid to the account. The director may
20 not enter into a written agreement with a qualified target
21 industry business if the local financial support resolution is
22 not passed by the local governing authority within 90 days
23 after he or she has issued the letter of certification under
24 subsection (3).

25 (b) Compliance with the terms and conditions of the
26 agreement is a condition precedent for the receipt of a tax
27 refund each year. The failure to comply with the terms and
28 conditions of the tax refund agreement results in the loss of
29 eligibility for receipt of all tax refunds previously
30 authorized under this section and the revocation by the
31 director of the certification of the business entity as a

1 qualified target industry business, unless the business is
2 eligible to receive and elects to accept a prorated refund
3 under paragraph (5)(d) or the office grants the business an
4 economic-stimulus exemption.

5 1. A qualified target industry business may submit, in
6 writing, a request to the office for an economic stimulus
7 exemption. The request must provide quantitative evidence
8 demonstrating how negative economic conditions in the
9 business's industry prevented the business from complying with
10 the terms and conditions of its tax refund agreement.

11 2. Upon receipt of a request under subparagraph 1.,
12 the director shall have 45 days to notify the requesting
13 business, in writing, if its exemption has been granted or
14 denied. In determining whether an exemption should be granted,
15 the director shall consider the extent to which negative
16 economic conditions in the requesting business's industry
17 prevented the business from complying with the terms and
18 conditions of its tax refund agreement.

19 3. As a condition for receiving a prorated refund
20 under paragraph (5)(d) or an economic stimulus exemption under
21 this paragraph, a qualified target industry business must
22 agree to renegotiate its tax refund agreement with the office
23 to, at a minimum, ensure that the terms of the agreement
24 comply with current law and office procedures governing
25 application for and award of tax refunds. Upon approving the
26 award of a prorated refund or granting an economic stimulus
27 exemption, the office shall renegotiate the tax refund
28 agreement with the business as required by this subparagraph.
29 When amending the agreement of a business receiving an
30 economic stimulus exemption, the office may extend the
31 duration of the agreement for a period not to exceed 1 year.

1 4. A qualified target industry business may submit a
2 request for an economic stimulus exemption to the office in
3 lieu of any tax refund claim scheduled to be submitted after
4 June 30, 2001, but before July 1, 2003.

5 5. A qualified target industry business that receives
6 an economic-stimulus exemption may not receive a tax refund
7 for the period covered by the exemption.

8 (c) The agreement must be signed by the director and
9 by an authorized officer of the qualified target industry
10 business within 120 days after the issuance of the letter of
11 certification under subsection (3), but not before passage and
12 receipt of the resolution of local financial support. The
13 office may grant an extension of this period at the written
14 request of the qualified target industry business.

15 (5) ANNUAL CLAIM FOR REFUND.--

16 (a) To be eligible to claim any scheduled tax refund,
17 a qualified target industry business that has entered into a
18 tax refund agreement with the office under subsection (4) must
19 may apply by January 31 of ~~once~~ each fiscal year to the office
20 for ~~the a~~ tax refund scheduled to be paid from the
21 appropriation for the fiscal year that begins on July 1
22 following the January 31 claims-submission date. The office
23 may, upon written request, grant a 30-day extension of the
24 filing date.~~The application must be made on or after the date~~
25 ~~specified in that agreement.~~

26 (b) The claim for refund by the qualified target
27 industry business must include a copy of all receipts
28 pertaining to the payment of taxes for which the refund is
29 sought and data related to achievement of each performance
30 item specified in the tax refund agreement. The amount

31

1 requested as a tax refund may not exceed the amount specified
2 for the relevant ~~that~~ fiscal year in that agreement.

3 (c) A tax refund may not be approved for a qualified
4 target industry business unless the required local financial
5 support has been paid into the account for that refund ~~in that~~
6 ~~fiscal year~~. If the local financial support provided is less
7 than 20 percent of the approved tax refund, the tax refund
8 must be reduced. In no event may the tax refund exceed an
9 amount that is equal to 5 times the amount of the local
10 financial support received. Further, funding from local
11 sources includes any tax abatement granted to that business
12 under s. 196.1995 or the appraised market value of municipal
13 or county land conveyed or provided at a discount to that
14 business. The amount of any tax refund for such business
15 approved under this section must be reduced by the amount of
16 any such tax abatement granted or the value of the land
17 granted; and the limitations in subsection (2) and paragraph
18 (3)(f) must be reduced by the amount of any such tax abatement
19 or the value of the land granted. A report listing all sources
20 of the local financial support shall be provided to the office
21 when such support is paid to the account.

22 (d) A prorated tax refund, less a 5-percent penalty,
23 shall be approved for a qualified target industry business
24 provided all other applicable requirements have been satisfied
25 and the business proves to the satisfaction of the director
26 that it has achieved at least 80 percent of its projected
27 employment and that the average wage paid by the business is
28 at least 90 percent of the average wage specified in the tax
29 refund agreement, but in no case less than 115 percent of the
30 average private-sector wage in the area available at the time
31 of the claim, or 150 percent or 200 percent of the average

1 private-sector wage if the business requested the additional
2 per-job tax refund authorized in paragraph (2)(b) for wages
3 above those levels. The prorated tax refund shall be
4 calculated by multiplying the tax refund amount for which the
5 qualified target industry business would have been eligible,
6 if all applicable requirements had been satisfied, by the
7 percentage of the average employment specified in the tax
8 refund agreement which was achieved, and by the percentage of
9 the average wages specified in the tax refund agreement which
10 was achieved.

11 (e) The director, with such assistance as may be
12 required from the office, the Department of Revenue, or the
13 Agency for Workforce Innovation ~~Department of Labor and~~
14 ~~Employment Security~~, shall, by June 30 following the scheduled
15 date for submission of the tax-refund claim, specify by
16 written final order the approval or disapproval of the tax
17 refund claim and, if approved, the amount of the tax refund
18 that is authorized to be paid to for the qualified target
19 industry business for the fiscal year within 30 days after the
20 date that the claim for the annual tax refund is received by
21 the office. The office may grant an extension of this date on
22 the request of the qualified target industry business for the
23 purpose of filing additional information in support of the
24 claim.

25 (f) The total amount of tax refund claims approved by
26 the director under this section in any fiscal year must not
27 exceed the amount authorized under s. 288.095(3).

28 (g) This section does not create a presumption that a
29 tax refund claim will be approved and paid.

30 (h)(g) Upon approval of the tax refund under
31 paragraphs (c), (d), and (e), the Comptroller shall issue a

1 warrant for the amount specified in the ~~final~~ order. If the
2 ~~final~~ order is appealed, the Comptroller may not issue a
3 warrant for a refund to the qualified target industry business
4 until the conclusion of all appeals of that order.

5 (6) ADMINISTRATION.--

6 (a) The office is authorized to verify information
7 provided in any claim submitted for tax credits under this
8 section with regard to employment and wage levels or the
9 payment of the taxes to the appropriate agency or authority,
10 including the Department of Revenue, the Agency for Workforce
11 Innovation ~~Department of Labor and Employment Security~~, or any
12 local government or authority.

13 (b) To facilitate the process of monitoring and
14 auditing applications made under this program, the office may
15 provide a list of qualified target industry businesses to the
16 Department of Revenue, to the Agency for Workforce Innovation
17 ~~Department of Labor and Employment Security~~, or to any local
18 government or authority. The office may request the assistance
19 of those entities with respect to monitoring jobs, wages, and
20 the payment of the taxes listed in subsection (2).

21 (c) Funds specifically appropriated for the tax refund
22 program for qualified target industry businesses may not be
23 used for any purpose other than the payment of tax refunds
24 authorized by this section.

25 (7) EXPIRATION.--This section expires June 30, 2004.

26 Section 5. Extended Homeownership Assistance
27 Program.--

28 (1) As used in this section, the term:

29 (a) "Corporation" means the Florida Housing Finance
30 Corporation.

31

1 (b) "Eligible borrower" means a person or family
2 earning up to 150 percent of the state or county median
3 income, whichever is greater, adjusted for family size.

4 (2) There is created as a temporary program within the
5 corporation an Extended Homeownership Assistance Program for
6 the purpose of assisting low, moderate, and middle-income
7 persons and families in purchasing a home by reducing the down
8 payment and closing costs paid by these persons and families.

9 (3) Subject to legislative appropriation, the
10 corporation shall make subordinated nonamortizing, no-interest
11 loans to eligible borrowers for down payments or closing costs
12 related to the purchase of the eligible borrowers' primary
13 residences. Each loan is limited to \$15,000 and is limited to
14 the lesser of 10 percent of the total purchase price or 10
15 percent of the appraised value of the residence. The balance
16 of each loan is due at closing if the residence is sold or
17 transferred.

18 (4) The corporation may impose a fee not to exceed \$50
19 for each loan application and may retain these fees to defray
20 the costs of implementing this section.

21 (5) Loan repayments and other revenues that accrue
22 under this section shall be deposited in the Florida
23 Homeownership Assistance Fund created under section 420.5088,
24 Florida Statutes, and shall not revert to the General Revenue
25 Fund. These funds shall be expended as provided in section
26 420.5088, Florida Statutes, are not required to be included in
27 the corporation's budget request, and are not subject to
28 appropriation by the Legislature.

29 (6) The corporation shall adopt rules under sections
30 120.536(1) and 120.54, Florida Statutes, to administer this
31 section, including rules governing loan-application

1 procedures, loan-selection criteria and procedures, the terms
2 and conditions of loans, loan-processing procedures, and the
3 application fee.

4 (7) This section is repealed effective June 30, 2003.

5 Section 6. Small Business Crisis Management Team.--

6 (1) The Legislature recognizes that periods of
7 sustained economic weakness, whether associated or
8 unassociated with events such as the September 11, 2001,
9 terrorist attacks on the United States, are particularly
10 difficult for small businesses. Because its economy is
11 dominated by small businesses, the state is especially
12 vulnerable to periods of economic weakness. In addition, the
13 Legislature finds that Enterprise Florida, Inc., as the
14 principal economic development organization for the state,
15 works with a diverse network of organizations and therefore is
16 in a unique position to assist small businesses during times
17 of economic crisis.

18 (2) Enterprise Florida, Inc., is directed to
19 incorporate into its operations a Small Business Crisis
20 Management Team that can be activated quickly and for
21 temporary periods of time to assist small businesses in the
22 state during periods of economic crisis or sustained economic
23 weakness. The team shall be comprised of senior staff members
24 from Enterprise Florida, Inc., appointed by the president of
25 Enterprise Florida, Inc., as well as representatives of other
26 organizations who are recruited to serve on the team by the
27 president of Enterprise Florida, Inc. The purposes of the team
28 shall include, but not be limited to:

29 (a) Serving as an initial, single point of contact for
30 small businesses that are attempting to gather information on
31

1 the variety of state and federal programs and services
2 available to them.

3 (b) Publicizing to small businesses information on
4 federal assistance programs or initiatives, such as the
5 economic injury loan programs of the U.S. Small Business
6 Administration.

7 (c) Referring small businesses to organizations, such
8 as small business development centers, that can provide
9 one-on-one counseling in business operations or best
10 practices.

11 (d) Coordinating with the state and regional partners
12 in the workforce development system, including but not limited
13 to the REACT unit of the Agency for Workforce Innovation, to
14 ensure that businesses undergoing layoffs or contemplating
15 layoffs are aware of economic development incentives or other
16 programs and services that may help reduce or avoid the need
17 for such layoffs.

18 (e) Utilizing the eflorida.com website as a resource
19 for small businesses to gather current information on
20 available assistance.

21 (3) The Office of Tourism, Trade, and Economic
22 Development; Workforce Florida, Inc.; the Agency for Workforce
23 Innovation; and the Department of Community Affairs shall
24 assist Enterprise Florida, Inc., with the operation of the
25 Small Business Crisis Management Team and shall each appoint
26 at least one staff member to serve as a liaison to the team.

27 (4) In order to provide a focus for the activities of
28 the Small Business Crisis Management Team, the term "small
29 business" as used in this section generally shall mean a
30 business with 25 or fewer employees. Enterprise Florida, Inc.,
31 however, may provide services under this section to businesses

1 with more employees if, in its judgment, the economic
2 conditions or circumstances of the particular business
3 warrant.

4 Section 7. Effective July 1, 2002, sections 332.201,
5 332.202, 332.203, 332.204, 332.205, 332.206, 332.207, 332.208,
6 332.209, 332.210, and 332.211, Florida Statutes, are created
7 to read:

8 332.201 Short title.--Sections 332.201-332.211 may be
9 cited as the "Florida Airport Authority Act."

10 332.202 Definitions.--As used in this act, the term:

11 (1) "Agency of the state" means and includes the state
12 and any department of, or corporation, agency, or
13 instrumentality created, designated, or established by, the
14 state.

15 (2) "Airport" means any area of land or water, or any
16 manmade object or facility located therein, which is used, or
17 intended for public use, for the landing and takeoff of
18 aircraft, and any appurtenant areas which are used, or
19 intended for public use, for airport buildings or other
20 airport facilities or rights-of-way.

21 (3) "Airport system" means any and all airports within
22 the geographic boundaries of an airport authority established
23 pursuant to this act and appurtenant facilities thereto,
24 including, but not limited to, all approaches, roads, bridges,
25 and avenues of access for such airport.

26 (4) "Authority" means an airport authority established
27 pursuant to this act which is a body politic and corporate and
28 a public instrumentality.

29 (5) "Bonds" means and includes the notes, bonds,
30 refunding bonds, or other evidences of indebtedness or
31

1 obligations, in either temporary or definitive form, which an
2 authority issues pursuant to this act.

3 (6) "Department" means the Department of
4 Transportation.

5 (7) "Division" means the Division of Bond Finance of
6 the State Board of Administration.

7 (8) "Express written consent" means prior express
8 written consent given in the form of a resolution adopted by a
9 board of county commissioners.

10 (9) "Federal agency" means and includes the United
11 States, the President of the United States, and any department
12 of, or corporation, agency, or instrumentality created,
13 designated, or established by, the United States.

14 332.203 Airport authority; formation; membership.--

15 (1) Any county which has a population of more than 2.1
16 million people shall at the countywide election hold a
17 referendum in which the electors shall decide whether to form
18 an airport authority, which shall be an agency of the state,
19 pursuant to this act.

20 (2) The governing body of the authority shall consist
21 of seven voting members, two of whom shall be appointed by the
22 Governor subject to confirmation by the Senate. Each member of
23 the governing body must at all times during his or her term of
24 office be a permanent resident of the county which he or she
25 is appointed to represent.

26 (a) The two members of the governing body appointed by
27 the Governor, subject to confirmation by the Senate, shall
28 serve terms of 4 years. Such persons may not hold elective
29 office during their terms of office.

30 (b) Two members shall be appointed by the County
31 Ethics Commission.

1 (c) One member shall be appointed by the County Mayor.

2 (d) Two members shall be appointed by the County
3 Commission. At least one of the members appointed by the
4 County Commission must possess expertise in airport security.

5 (3)(a) The governing body of each authority shall
6 elect one of its members as its chair and shall elect a
7 secretary and a treasurer, who need not be members of the
8 authority. The chair, secretary, and treasurer shall hold
9 their offices at the will of the governing body. A simple
10 majority of the governing body constitutes a quorum, and the
11 vote of a majority of those members present is necessary for
12 the governing body to take any action. A vacancy on a
13 governing body shall not impair the right of a quorum of the
14 governing body to exercise all of the rights and perform all
15 of the duties of the authority.

16 (b) Upon the effective date of his or her appointment,
17 or as soon thereafter as practicable, each appointed member of
18 a governing body shall enter upon his or her duties.

19 (4)(a) An authority may employ an executive secretary,
20 an executive director, its own counsel and legal staff,
21 technical experts, and such engineers and employees, permanent
22 or temporary, as it may require and shall determine the
23 qualifications and fix the compensation of such persons,
24 firms, or corporations. An authority may employ a fiscal agent
25 or agents; however, the authority must solicit sealed
26 proposals from at least three persons, firms, or corporations
27 for the performance of any services as fiscal agent. An
28 authority may delegate to one or more of its agents or
29 employees such of its power as it deems necessary to carry out
30 the purposes of this act, subject always to the supervision
31 and control of the authority.

1 (b) Members of the governing body of an authority may
2 be removed from office by the Governor for misconduct,
3 malfeasance, misfeasance, or nonfeasance in office.

4 (c) Members of the governing body of an authority are
5 entitled to receive from the authority their travel and other
6 necessary expenses incurred in connection with the business of
7 the authority as provided in s. 112.061, but they may not draw
8 salaries or other compensation.

9 (d) Members of the governing body of an authority
10 shall be required to comply with the applicable financial
11 disclosure requirements of ss. 112.3144, 112.3148, and
12 112.3149.

13 (5) No member or spouse shall be the holder of the
14 stocks or bonds of any company, other than through ownership
15 of shares in a mutual fund, regulated by the authority, or any
16 affiliated company of any company regulated by the authority,
17 or be an agent or employee of, or have any interest in, any
18 company regulated by the authority or any affiliated company
19 of any company regulated by the authority, or in any firm
20 which represents in any capacity either companies which are
21 regulated by the authority or affiliates of companies
22 regulated by the authority. As a condition of appointment to
23 the council, each appointee shall affirm to the Speaker and
24 the President his or her qualification by the following
25 certification: "I hereby certify that I am not a stockholder,
26 other than through ownership of shares in a mutual fund, in
27 any company regulated by the authority or in any affiliate of
28 a company regulated by the authority, nor in any way, directly
29 or indirectly, in the employment of, or engaged in the
30 management of any company regulated by the authority or any
31 affiliate of a company regulated by the authority, or in any

1 firm which represents in any capacity either companies which
2 are regulated by the authority or affiliates of companies
3 regulated by the authority." A member of the authority shall
4 not contribute to the campaign account of any elected
5 official, nor solicit any campaign contributions for any
6 elected official.

7 332.204 Purposes and powers.--

8 (1)(a) An authority created and established pursuant
9 to this act may acquire, hold, construct, improve, maintain,
10 operate, own, and lease an airport system.

11 (b) Construction of an airport system may be completed
12 by an authority in segments, phases, or stages, in a manner
13 which will permit the expansion of these segments, phases, or
14 stages to the desired airport configuration. Each authority,
15 in the construction of an airport system, may construct any
16 extensions of, additions to, or improvements to, the airport
17 system or appurtenant facilities, including all necessary
18 approaches, roads, bridges, and avenues of access, with such
19 changes, modifications, or revisions of the project that are
20 deemed desirable and proper. An authority may only add
21 additional airports to an airport system, under the terms and
22 conditions set forth in this act, with the prior express
23 written consent of the board of county commissioners of each
24 county located within the geographic boundaries of the
25 authority, and only if such additional airports are
26 financially feasible, and are compatible with the existing
27 plans, projects, and programs of the authority.

28 (2) Each authority may exercise all powers necessary,
29 appurtenant, convenient, or incidental to the carrying out of
30 its purposes, including, but not limited to, the following
31 rights and powers:

1 (a) To sue and be sued, implead and be impleaded, and
2 complain and defend in all courts.

3 (b) To adopt, use, and alter at will a corporate seal.

4 (c) To acquire, purchase, hold, lease as lessee, and
5 use any franchise or property, real, personal, or mixed,
6 tangible or intangible, or any interest therein necessary or
7 desirable for carrying out the purposes of the authority and
8 to sell, lease as lessor, transfer, and dispose of any
9 property or interest therein at any time acquired by it.

10 (d) To enter into and make leases, either as lessee or
11 as lessor, in order to carry out the right to lease as set
12 forth in this act.

13 (e) To fix, alter, charge, establish, and collect
14 rates, fees, rentals, and other charges for the services and
15 facilities of the airport system, which rates, fees, rentals,
16 and other charges must always be sufficient to comply with any
17 covenants made with the holders of any bonds issued pursuant
18 to this act.

19 (f) To borrow money, make and issue negotiable notes,
20 bonds, refund bonds and other evidence of indebtedness, either
21 in temporary or definitive form, of the authority, which bonds
22 or other evidence of indebtedness may be issued pursuant to
23 the State Bond Act, to finance an airport system within the
24 geographic boundaries of the authority, and to provide for the
25 security of the bonds or other evidence of indebtedness and
26 the rights and remedies of the holders of the bonds or other
27 evidence of indebtedness. Any bonds or other evidence of
28 indebtedness pledging the full faith and credit of the state
29 shall only be issued pursuant to the State Bond Act.

30
31

1 (g) To enter into contracts and to execute all
2 instruments necessary or convenient for the carrying on of its
3 business.

4 (h) Without limitation of the foregoing, to borrow
5 money and accept grants from, and to enter into contracts,
6 leases, or other transactions with, any federal agency, the
7 state, any agency of the state or county, or any other public
8 body of the state.

9 (i) To have the power of eminent domain, including the
10 procedural powers granted under chapters 73 and 74.

11 (j) To pledge, hypothecate, or otherwise encumber all
12 or any part of the revenues, rates, fees, rentals, or other
13 charges or receipts of the authority, as security for all or
14 any of the obligations of the authority.

15 (k) To do all acts and things necessary or convenient
16 for the conduct of its business and the general welfare of the
17 authority in order to carry out the powers granted to it by
18 law.

19 (l) An airport authority may consider any unsolicited
20 proposals from private entities and all factors it deems
21 important in evaluating such proposals. The airport authority
22 shall adopt rules or policies in compliance with s. 334.30 for
23 the receipt, evaluation, and consideration of such proposals
24 in order to enter into agreements for the planning design,
25 engineering, construction, operation, ownership, or financing
26 of its airport system. Such rules must require substantially
27 similar technical information as is required by Rule
28 14-107.0011(3)(a)-(e), Florida Administrative Code. In
29 accepting a proposal and entering into such an agreement, the
30 airport authority and the private entity shall for all
31 purposes be deemed to have complied with chapters 255 and 287.

1 Similar proposals shall be reviewed and acted on by the
2 authority in the order in which they were received. An
3 additional airport may only be constructed under this
4 paragraph with state and federal approval, and with the prior
5 express written consent of the board of county commissioners
6 of each county located within the geographical boundaries of
7 the authority.

8 (3) The use or pledge of any portion of county tax
9 funds may not be made without the prior express written
10 consent of the board of county commissioners of each county
11 located within the geographic boundaries of the authority.

12 (4) Any authority formed pursuant to this act shall
13 comply with all statutory requirements of general application
14 which relate to the filing of any report or documentation
15 required by law, including the requirements of ss. 189.4085,
16 189.415, 189.417, and 189.418.

17 (5) No airport authority shall undertake any
18 construction that is not consistent with federal aviation
19 requirements, the statewide aviation system plan, and the
20 county's comprehensive plan.

21 (6) The governing body of the county may enter into an
22 interlocal agreement with an authority pursuant to chapter 163
23 for the joint performance or performance by either
24 governmental entity of any corporate function of the county or
25 authority necessary or appropriate to enable the authority to
26 fulfill the powers and purposes of this act and promote the
27 efficient and effective transportation of persons and goods in
28 such county.

29 332.205 Bonds.--With the prior express written consent
30 of the board of county commissioners of each county located
31 within the geographic boundaries of an authority, bonds may be

1 issued on behalf of an authority as provided by the State Bond
2 Act.

3 332.206 County may be appointed agent of authority for
4 construction.--The county may be appointed by the authority as
5 its agent for the purpose of constructing improvements to an
6 airport system and for the completion thereof. In such event,
7 the authority shall provide the county with complete copies of
8 all documents, agreements, resolutions, contracts, and
9 instruments relating thereto; shall request the county to do
10 such construction work, including the planning, surveying, and
11 actual construction of the completion and improvements to the
12 airport system; and shall transfer to the credit of an account
13 of the county the necessary funds therefor.

14 332.207 Acquisition of lands and property.--

15 (1) For the purposes of this act, an airport authority
16 may acquire private or public property and property rights,
17 including rights of access, air, view, and light, by gift,
18 devise, purchase, or condemnation by eminent domain
19 proceedings, as the authority may deem necessary for any of
20 the purposes of this act, including, but not limited to, any
21 lands reasonably necessary for securing applicable permits,
22 areas necessary for management of access, borrow pits,
23 drainage ditches, water retention areas, replacement access
24 for landowners whose access is impaired due to the improvement
25 of an airport system, and replacement rights-of-way for
26 relocated rail and utility facilities; or for existing,
27 proposed, or anticipated transportation facilities within the
28 airport system. The authority may also condemn any material
29 and property necessary for such purposes.

1 (2) The right of eminent domain conferred by this act
2 must be exercised by an authority in the manner provided by
3 law.

4 332.208 Cooperation with other units, boards,
5 agencies, and individuals.--Express authority and power is
6 given and granted to any county, municipality, drainage
7 district, road and bridge district, school district, or other
8 political subdivision, board, commission, or individual in or
9 of this state to enter into contracts, leases, conveyances, or
10 other agreements within the provisions and purposes of this
11 act with an authority. An authority may enter into contracts,
12 leases, conveyances, and other agreements, to the extent
13 consistent with this chapter and chapters 330, 331, and 333
14 and other provisions of the laws of the state, with any
15 political subdivision, agency, or instrumentality of the state
16 and any federal agency, corporation, and individual, for the
17 purpose of carrying out the provisions of this act.

18 332.209 Covenant of the state.--The state does hereby
19 pledge to, and agrees with, any person, firm, corporation, or
20 federal or state agency subscribing to or acquiring the bonds
21 to be issued by an authority for the purposes of this act that
22 the state will not limit or alter the rights hereby vested in
23 an authority and the department until all bonds at any time
24 issued, together with the interest thereon, are fully paid and
25 discharged, insofar as the same affects the rights of the
26 holders of bonds issued hereunder. The state does further
27 pledge to, and agrees with, the United States that, in the
28 event any federal agency constructs, or contributes any funds
29 for the completion, extension, or improvement of, an airport
30 system or any part or portion thereof, the state will not
31 alter or limit the rights and powers of an authority and the

1 department in any manner which would be inconsistent with the
2 continued maintenance and operation of the airport system or
3 the completion, extension, or improvement thereof or which
4 would be inconsistent with the due performance of any
5 agreement between the authority and any such federal agency,
6 and the authority and the department shall continue to have
7 and may exercise all powers granted so long as the same shall
8 be necessary or desirable for carrying out the purposes of
9 this act and the purposes of the United States in the
10 completion, extension, or improvement of the airport system or
11 any part or portion thereof.

12 332.210 Exemption from taxation.--The effectuation of
13 the authorized purposes of an airport authority is in all
14 respects for the benefit of the people of the state, for the
15 increase of their commerce and prosperity, and for the
16 improvement of their health and living conditions. For this
17 reason, an authority is not required to pay any taxes or
18 assessments of any kind or nature whatsoever upon any property
19 acquired by it or used by it for such purposes or upon any
20 revenues at any time received by it. The bonds issued by or on
21 behalf of an authority, their transfer, and the income
22 therefrom, including any profits made on the sale thereof, are
23 exempt from taxation of any kind by the state or by any
24 political subdivision or other taxing agency or
25 instrumentality thereof. The exemption granted by this section
26 does not apply to any tax imposed under chapter 220 on
27 interest, income, or profits on debt obligations owned by
28 corporations.

29 332.211 Exemption from applicability.--This act does
30 not apply in a county in which an authority has been created
31

1 pursuant to a general or special act of the Legislature for
2 the purpose of owning, building, or operating an airport.

3 Section 8. The provisions of the Florida Airport
4 Authority Act, sections 332.201-332.211, Florida Statutes,
5 shall not apply to any county which has created its own
6 airport authority.

7 Section 9. Members of the authority created pursuant
8 to the Florida Airport Authority Act, sections
9 332.201-332.211, Florida Statutes, are required to file full
10 and public disclosure of financial interests pursuant to
11 section 112.3144, Florida Statutes.

12 Section 10. Section 121.155, Florida Statutes, is
13 created to read:

14 121.155 Investments in support of economic development
15 strategies; legislative findings and intent.--

16 (1) The Legislature finds that:

17 (a) The recruitment, retention, and expansion of
18 high-technology businesses constitute a principal economic
19 development strategy of the state.

20 (b) High-technology businesses have the potential to
21 contribute significantly to the prosperity of the state and
22 its residents through the creation of employment opportunities
23 and through the generation of revenues into the economy.

24 (c) A significant barrier to the growth of
25 high-technology businesses in the state is caused by a lack of
26 access to sources of capital to support the activities of
27 those businesses.

28 (d) The State Board of Administration, through the
29 investment of funds of the System Trust Fund, has the ability
30 to influence the availability of capital in the marketplace
31 for businesses located in the state.

1 (e) The investment of funds of the System Trust Fund
2 in a manner consistent with the economic development goals of
3 the state enhances the prospects for fulfillment of those
4 goals.

5 (2) It is the intent of the Legislature that the State
6 Board of Administration, consistent with sound investment
7 policy and with the investment provisions set forth in ss.
8 215.44-215.53, continue to maximize opportunities for
9 investing and reinvesting available funds of the System Trust
10 Fund in a manner that is consistent with, and that supports
11 fulfillment of, the economic development strategies of the
12 state, including investing and reinvesting funds in support of
13 the capital needs of emerging and strategic high-technology
14 businesses located in the state. It is further the intent of
15 the Legislature that the State Board of Administration, in
16 supporting fulfillment of the economic development strategies
17 of the state, establish partnerships, when feasible, with
18 venture capital firms designed to facilitate investment of
19 venture capital in high-technology businesses located in this
20 state.

21 (3) Staff of the State Board of Administration shall
22 regularly solicit information from Enterprise Florida, Inc.,
23 concerning those high-technology business sectors that
24 research indicates have significant potential to contribute to
25 the economic development of the state, and shall provide that
26 information to the Investment Advisory Council created under
27 s. 215.444.

28 (4) As part of the annual report required under s.
29 215.44, the State Board of Administration shall describe those
30 investment activities undertaken during the year which are in
31

1 furtherance of the findings and intent expressed in this
2 section.

3 Section 11. Section 159.26, Florida Statutes, is
4 amended to read:

5 159.26 Legislative findings and purposes.--The
6 Legislature finds and declares that:

7 (1) The agriculture, tourism, urban development,
8 historic preservation, information technology, education, and
9 health care industries, among others, are vital to the economy
10 of the state and to the welfare of the people and need to be
11 enhanced and expanded to improve the competitive position of
12 the state;

13 (2) There is a need to enhance other economic activity
14 in the state by attracting manufacturing development, business
15 enterprise management, and other activities conducive to
16 economic promotion in order to provide a stronger, more
17 balanced, and stable economy in the state, while providing
18 through pollution control and otherwise for the health and
19 safety of the people;

20 (3) In order to improve the prosperity and welfare of
21 the state and its inhabitants; to improve education, living
22 conditions, and health care; to promote the preservation of
23 historic structures; to promote the rehabilitation of
24 enterprise zones; to promote improved transportation; to
25 promote effective and efficient pollution control throughout
26 the state; to promote the advancement of education and science
27 and research in and the economic development of the state; to
28 promote the advancement of information technology; and to
29 increase purchasing power and opportunities for gainful
30 employment, it is necessary and in the public interest to
31 facilitate the financing of the projects provided for in this

1 part and to facilitate and encourage the planning and
2 development of these projects without regard to the boundaries
3 between counties, municipalities, special districts, and other
4 local governmental bodies or agencies in order to more
5 effectively and efficiently serve the interests of the
6 greatest number of people in the widest area practicable; and

7 (4) The purposes to be achieved by such projects and
8 the financing of them in compliance with the criteria and
9 requirements of this part are predominantly the public
10 purposes stated in this section, and such purposes implement
11 the governmental purposes under the State Constitution of
12 providing for the health, safety, and welfare of the people,
13 including implementing the purpose of s. 10(c), Art. VII of
14 the State Constitution.

15 Section 12. Subsection (5) of section 159.27, Florida
16 Statutes, is amended and subsection (25) is added to that
17 section to read:

18 159.27 Definitions.--The following words and terms,
19 unless the context clearly indicates a different meaning,
20 shall have the following meanings:

21 (5) "Project" means any capital project comprising an
22 industrial or manufacturing plant, a research and development
23 park, an information technology facility, an agricultural
24 processing or storage facility, a warehousing or distribution
25 facility, a headquarters facility, a tourism facility, a
26 convention or trade show facility, an urban parking facility,
27 a trade center, a health care facility, an educational
28 facility, a correctional or detention facility, a motion
29 picture production facility, a preservation or rehabilitation
30 of a certified historic structure, an airport or port
31 facility, a commercial project in an enterprise zone, a

1 pollution-control facility, a hazardous or solid waste
2 facility, a social service center, or a mass commuting
3 facility, including one or more buildings and other
4 structures, whether or not on the same site or sites; any
5 rehabilitation, improvement, renovation, or enlargement of, or
6 any addition to, any buildings or structures for use as a
7 factory, a mill, a processing plant, an assembly plant, a
8 fabricating plant, an industrial distribution center, a
9 repair, overhaul, or service facility, a test facility, an
10 agricultural processing or storage facility, a warehousing or
11 distribution facility, a headquarters facility, a tourism
12 facility, a convention or trade show facility, an urban
13 parking facility, a trade center, a health care facility, an
14 educational facility, a correctional or detention facility, a
15 motion picture production facility, a preservation or
16 rehabilitation of a certified historic structure, an airport
17 or port facility, a commercial project in an enterprise zone,
18 a pollution-control facility, a hazardous or solid waste
19 facility, a social service center, or a mass commuting
20 facility, and other facilities, including research and
21 development facilities and information technology facilities,
22 for manufacturing, processing, assembling, repairing,
23 overhauling, servicing, testing, or handling of any products
24 or commodities embraced in any industrial or manufacturing
25 plant, in connection with the purposes of a research and
26 development park, or other facilities for or used in
27 connection with an agricultural processing or storage
28 facility, a warehousing or distribution facility, a
29 headquarters facility, a tourism facility, a convention or
30 trade show facility, an urban parking facility, a trade
31 center, a health care facility, an educational facility, a

1 correctional or detention facility, a motion picture
2 production facility, a preservation or rehabilitation of a
3 certified historic structure, an airport or port facility, or
4 a commercial project in an enterprise zone or for controlling
5 air or water pollution or for the disposal, processing,
6 conversion, or reclamation of hazardous or solid waste, a
7 social service center, or a mass commuting facility; and
8 including also the sites thereof and other rights in land
9 therefor whether improved or unimproved, machinery, equipment,
10 site preparation and landscaping, and all appurtenances and
11 facilities incidental thereto, such as warehouses, utilities,
12 access roads, railroad sidings, truck docking and similar
13 facilities, parking facilities, office or storage or training
14 facilities, public lodging and restaurant facilities, dockage,
15 wharfage, solar energy facilities, and other improvements
16 necessary or convenient for any manufacturing or industrial
17 plant, research and development park, information technology
18 facility, agricultural processing or storage facility,
19 warehousing or distribution facility, tourism facility,
20 convention or trade show facility, urban parking facility,
21 trade center, health care facility, educational facility, a
22 correctional or detention facility, motion picture production
23 facility, preservation or rehabilitation of a certified
24 historic structure, airport or port facility, commercial
25 project in an enterprise zone, pollution-control facility,
26 hazardous or solid waste facility, social service center, or a
27 mass commuting facility and any one or more combinations of
28 the foregoing.

29 (25) "Information technology facility" means a
30 building or structure, including infrastructure such as roads,
31 power, water, network access points, and fiber optic cable

1 leading to the structure, which is used to house businesses
2 classified within the following codes of the North American
3 Industry Classification System (NAICS): 334111 (electronic
4 computer manufacturing), 334112 (computer storage device
5 manufacturing), 334113 (computer terminal manufacturing),
6 334119 (other computer peripheral equipment manufacturing),
7 334613 (magnetic and optical recording media manufacturing),
8 334418 (printed circuit assembly manufacturing), 334411
9 (electron tube manufacturing), 334412 (bare printed circuit
10 board manufacturing), 334413 (semiconductor and related device
11 manufacturing), 334417 (electronic connector manufacturing),
12 334611 (software reproducing), 541512 (computer systems design
13 services), 51421 (data processing services), 514191 (on-line
14 information services), 811212 (computer and office machine
15 repair and maintenance), 44312 (computer and software
16 stores-retail), 541519 (other computer related services),
17 42143 (computer and computer peripheral equipment and software
18 wholesalers), 51121 (software publishers), 541511 (custom
19 computer programming services), and 61142 (computer training).
20 The term also includes joint-use advanced digital media
21 research and production facilities created pursuant to
22 authority from the Legislature to enable the Office of
23 Tourism, Trade, and Economic Development to administer a
24 program facilitating the establishment and maintenance of such
25 digital media facilities.

26 Section 13. Subsection (10) of section 159.705,
27 Florida Statutes, is amended to read:

28 159.705 Powers of the authority.--The authority is
29 authorized and empowered:

30 (10) Other provisions of law to the contrary
31 notwithstanding, to acquire by lease, without consideration,

1 purchase, or option any lands owned, administered, managed,
2 controlled, supervised, or otherwise protected by the state or
3 any of its agencies, departments, boards, or commissions for
4 the purpose of establishing a research and development park,
5 subject to being first designated a research and development
6 authority under the provisions of ss. 159.701-159.7095. The
7 authority may cooperate with state and local political
8 subdivisions and with private profit and nonprofit entities to
9 implement the public purposes set out in s. 159.701. Such
10 cooperation may include agreements for the use of the
11 resources of state and local political subdivisions, agencies,
12 or entities on a fee-for-service basis or on a cost-recovery
13 basis. A project that is located in a research and development
14 park and is financed under the provisions of the Florida
15 Industrial Development Financing Act may be operated by a
16 research and development authority, a state university, a
17 Florida community college, or a governmental agency if the
18 purpose and operation of the project is consistent with the
19 purposes and policies specified in ss. 159.701-159.7095.

20 Section 14. Section 240.105, Florida Statutes, is
21 amended to read:

22 240.105 Statement of purpose and mission.--

23 (1) The Legislature finds it in the public interest to
24 provide a system of higher education which is of the highest
25 possible quality; which enables students of all ages,
26 backgrounds, and levels of income to participate in the search
27 for knowledge and individual development; which stresses
28 undergraduate teaching as its main priority; which offers
29 selected professional, graduate, and research programs with
30 emphasis on state and national needs; which fosters diversity
31 of educational opportunity; which promotes service to the

1 public; which promotes economic development of the state;
2 which makes effective and efficient use of human and physical
3 resources; which functions cooperatively with other
4 educational institutions and systems; and which promotes
5 internal coordination and the wisest possible use of
6 resources.

7 (2) The mission of the state system of postsecondary
8 education is to develop human resources, to discover and
9 disseminate knowledge, to extend knowledge and its application
10 beyond the boundaries of its campuses, and to serve and
11 stimulate society by developing in students heightened
12 intellectual, cultural, and humane sensitivities; scientific,
13 professional, and technological expertise; and a sense of
14 purpose. Inherent in this broad mission are methods of
15 instruction, research, extended training, and public service
16 designed to educate people, promote the economic development
17 of the state,and improve the human condition. Basic to every
18 purpose of the system is the search for truth.

19 Section 15. Section 240.710, Florida Statutes, is
20 amended to read:

21 240.710 Digital Media Education Coordination Group.--

22 (1) The Division of Colleges and Universities of the
23 Department of Education ~~Board of Regents~~ shall create a
24 Digital Media Education Coordination Group composed of
25 representatives of the universities within the State
26 University System that shall work in conjunction with the
27 Division ~~Department of Education, the State Board~~ of Community
28 Colleges, the Office of Tourism, Trade, and Economic
29 Development,and the Articulation Coordinating Committee ~~on~~
30 ~~the development of a plan~~ to enhance Florida's ability to meet
31 the current and future workforce needs of the digital media

1 industry. The following purposes of the group shall be
2 included in its plan development process:

3 (a) Coordination of the use of existing academic
4 programs and research and faculty resources to promote the
5 development of a digital media industry in this state.

6 (b) Address strategies to improve opportunities for
7 interdisciplinary study and research within the emerging field
8 of digital media through the development of tracts in existing
9 degree programs, new interdisciplinary degree programs, and
10 interdisciplinary research centers.

11 (c) Address the sharing of resources among
12 universities in such a way as to allow a student to take
13 courses from multiple departments or multiple educational
14 institutions in pursuit of competency, certification, and
15 degrees in digital information and media technology.

16 (2) Where practical, private accredited institutions
17 of higher learning in this state should be encouraged to
18 participate.

19 ~~(3) In addition to the elements of the plan governed~~
20 ~~by the purposes described in subsection (1), the plan shall~~
21 ~~include, to the maximum extent practical, the coordination of~~
22 ~~educational resources to be provided by distance learning and~~
23 ~~shall facilitate to the maximum extent possible articulation~~
24 ~~and transfer of credits between community colleges and the~~
25 ~~state universities. The plan shall address student enrollment~~
26 ~~in affected programs with emphasis on enrollment beginning as~~
27 ~~early as fall term, 2001.~~

28 (3)(4) The Digital Media Education Coordination Group
29 shall submit an annual report of its activities with any
30 recommendations for policy implementation or funding to the
31 Florida Board of Education and its plan to the President of

1 the Senate and the Speaker of the House of Representatives by
2 February 1 of each year no later than January 1, 2001.

3 Section 16. Paragraph (i) of subsection (6) of section
4 288.108, Florida Statutes, is amended to read:

5 288.108 High-impact business.--

6 (6) SELECTION AND DESIGNATION OF HIGH-IMPACT
7 SECTORS.--

8 (i) For the purposes of this subsection, the
9 semiconductor a high-impact sector consists of the silicon
10 technology sector and the information technology sector are
11 that Enterprise Florida, Inc., has found to be focused around
12 the type of high-impact businesses for which the incentive
13 created in this section subsection is designed. These required
14 and will create the kinds of sectors sector and economy wide
15 benefits that justify the use of state resources as economic
16 development incentives. Further, the use of state resources to
17 encourage investment in these sectors is necessary to
18 encourage these investments and require substantial
19 inducements to compete with the incentive packages offered by
20 other states and nations. For the purposes of this subsection
21 and s. 220.191, the term "information technology sector"
22 includes, but is not limited to, the digital media sector as
23 defined by Enterprise Florida, Inc., and approved by the
24 Office of Tourism, Trade, and Economic Development.

25 Section 17. Section 445.045, Florida Statutes, is
26 amended to read:

27 445.045 Development of an Internet-based system for
28 information technology industry promotion and workforce
29 recruitment.--

30 (1) Workforce Florida, Inc., is responsible for
31 directing ~~The Department of Labor and Employment Security~~

1 ~~shall facilitate efforts to ensure~~ the development and
2 maintenance of a website that promotes and markets the
3 information technology industry in this state. The website
4 shall be designed to inform the public concerning the scope of
5 the information technology industry in the state and shall
6 also be designed to address the workforce needs of the
7 industry. The website shall include, through links or actual
8 content, information concerning information technology
9 businesses in this state, including links to such businesses;
10 information concerning employment available at these
11 businesses; and the means by which a jobseeker may post a
12 resume on the website.

13 (2) Workforce Florida, Inc.,~~The Department of Labor~~
14 ~~and Employment Security~~ shall coordinate with the State
15 Technology Office and the Agency for Workforce Innovation
16 ~~Workforce Development Board of Enterprise Florida, Inc.,~~to
17 ensure links, where feasible and appropriate, to existing job
18 information websites maintained by the state and state
19 agencies and to ensure that information technology positions
20 offered by the state and state agencies are posted on the
21 information technology website.

22 (3) Workforce Florida, Inc., shall ensure that the
23 website developed and maintained under this section is
24 consistent, compatible, and coordinated with the workforce
25 information systems required under s. 445.011, including, but
26 not limited to, the automated job-matching information system
27 for employers, job seekers, and other users.

28 (4)(a) Workforce Florida, Inc., shall coordinate
29 development and maintenance of the website under this section
30 with the state's Chief Information Officer in the State
31

1 Technology Office to ensure compatibility with the state's
2 information system strategy and enterprise architecture.

3 (b) Workforce Florida, Inc., may enter into an
4 agreement with the Agency for Workforce Innovation or any
5 other public agency with the requisite information technology
6 expertise for the provision of design, operating, or other
7 technological services necessary to develop and maintain the
8 website.

9 (c) Workforce Florida, Inc., may procure services
10 necessary to implement the provisions of this section, if it
11 employs competitive processes, including requests for
12 proposals, competitive negotiation, and other competitive
13 processes to ensure that the procurement results in the most
14 cost-effective investment of state funds.

15 (5) In furtherance of the requirements of this section
16 that the website promote and market the information technology
17 industry by communicating information on the scope of the
18 industry in this state, Workforce Florida, Inc., shall
19 coordinate its efforts with the high-technology industry
20 marketing efforts of Enterprise Florida, Inc., under s.
21 288.911. Through links or actual content, the website
22 developed under this section shall serve as a forum for
23 distributing the marketing campaign developed by Enterprise
24 Florida, Inc., under s. 288.911. In addition, Workforce
25 Florida, Inc., shall solicit input from the not-for-profit
26 corporation created to advocate on behalf of the information
27 technology industry as an outgrowth of the Information Service
28 Technology Development Task Force created under chapter
29 99-354, Laws of Florida.

30 (6) In fulfilling its responsibilities under this
31 section, Workforce Florida, Inc., may enlist the assistance of

1 and act through the Agency for Workforce Innovation. The
2 agency is authorized and directed to provide the services that
3 Workforce Florida, Inc., and the agency consider necessary to
4 implement this section.

5 Section 18. Joint-use advanced digital-media research
6 and production facilities.--

7 (1) The Legislature finds that developments in digital
8 media are having, and will continue to have, a profound effect
9 on the state, its residents, and its businesses in areas
10 including, but not limited to, information technology,
11 simulation technology, and film and entertainment production
12 and distribution. The digital-media industry represents a
13 strategic economic development opportunity for the state to
14 become a global leader in this emerging and dynamic field. The
15 ability of the state to succeed in developing the
16 digital-media sector, however, depends upon having a workforce
17 with skills necessary to meet the demands of the industry. The
18 Legislature further finds that the convergence of media and
19 the collaboration of businesses and multi-disciplinary
20 academic research programs will enable this state to compete
21 more successfully with other digital-media innovation centers
22 around the country and around the world. Therefore, it is the
23 intent of the Legislature to support the establishment and
24 maintenance of joint-use advanced digital-media research and
25 production facilities in the state to provide regional focal
26 points for collaboration between research and education
27 programs and digital-media industries.

28 (2) Subject to legislative appropriation, the Office
29 of Tourism, Trade, and Economic Development may create and
30 administer a program to facilitate the establishment and
31 maintenance of joint-use advanced digital-media research and

1 production facilities at strategic locations around the state.
2 The office shall administer all facets of this program in
3 cooperation and consultation with the Office of the Film
4 Commissioner; Enterprise Florida, Inc.; Workforce Florida,
5 Inc.; the Digital Media Education Coordination Group of the
6 State University System; and a not-for-profit corporation that
7 represents information technology businesses throughout the
8 state.

9 (3) The purposes of a joint-use advanced digital-media
10 research and production facility include:

11 (a) Creating opportunities for industry, academia, and
12 government to benefit from student and researcher involvement
13 in applied research and development projects and other
14 projects related to digital media.

15 (b) Promoting paths to future employment for students
16 participating in the activities of the facility.

17 (c) Contributing to the development of a skilled
18 workforce to support the needs of the digital-media industry.

19 (d) Facilitating the transfer of research results to
20 commercial and government applications.

21 (e) Integrating the efforts and activities of the
22 diverse, high-technology industries in the state which are
23 critical to the economic future of the state.

24 (f) Assisting producers, suppliers, and distributors
25 in making the transition from well-established passive media
26 infrastructure to a highly interactive and immersive media
27 infrastructure.

28 (g) Performing other functions or activities designed
29 to contribute to the success of the state in becoming a leader
30 in the digital-media industry, as approved by the Office of
31 Tourism, Trade, and Economic Development.

1 (4) In carrying out its responsibilities under this
2 section, the Office of Tourism, Trade, and Economic
3 Development:

4 (a) Shall develop a strategic plan for how joint-use
5 advanced digital-media research and production facilities will
6 be governed and for how those facilities will be funded in the
7 long term. The office may contract for the preparation of the
8 strategic plan required by this paragraph.

9 (b) May contract for the establishment of joint-use
10 advanced digital-media research and production facilities. In
11 identifying, approving, and executing contracts, the office
12 shall attempt to maximize the use and integration of existing
13 facilities and programs in the state which are suitable for
14 application as joint-use advanced digital-media facilities.
15 Funds awarded under the contracts may be used to lease or
16 refurbish existing facilities to create state-of-the-art
17 digital-media design, production, and research laboratories
18 that are shared by public and private educational institutions
19 and industry partners.

20 (c) Shall ensure that funds appropriated for the
21 program authorized in this section are expended in a manner
22 consistent with the priority needs for developing the
23 digital-media industry in this state, as identified by the
24 organizations listed in subsection (2).

25 (d) Shall require any entity or organization receiving
26 state funding under this section to match that funding with
27 nonstate sources.

28 (e) Shall require any joint-use advanced digital-media
29 research and production facility receiving state funds to
30 submit for approval by the office a detailed plan for the
31 operation of the facility. The operating plan must, at a

1 minimum, include provisions for the establishment of a tenant
2 association, with representation by each tenant using the
3 facility, and for the collection of annual dues from tenants
4 to support the operation and maintenance of the facility.

5 (f) Shall require any joint-use advanced digital-media
6 research and production facility receiving state funding to
7 submit an annual report to the office by a date established by
8 the office. Upon receipt of the annual reports, the office
9 shall provide copies to the Governor, the President of the
10 Senate, and the Speaker of the House of Representatives.

11 (g) Shall establish guidelines and criteria governing
12 the application for and receipt of funds under this section.

13 (h) May, as part of the annual report on the business
14 climate of the state required under section 14.2015, Florida
15 Statutes, recommend to the Legislature policies designed to
16 enhance the effectiveness of the program for joint-use
17 advanced digital-media research and production facilities or
18 policies designed to otherwise promote the development of the
19 digital-media industry in the state.

20 (5) For the purposes of this section, the term
21 "digital media" is defined as a discipline based on the
22 creative convergence of art, science, and technology for human
23 expression, communication, and social interaction. The Office
24 of Tourism, Trade, and Economic Development, in cooperation
25 and consultation with the organizations identified in
26 subsection (2), shall identify specific types of businesses or
27 types of business activity to be included within the term
28 "digital media."

29 Section 19. The Office of Tourism, Trade, and Economic
30 Development, the Office of the Film Commissioner, and the
31 Digital Media Education Coordination Group shall jointly

1 report to the President of the Senate and the Speaker of the
2 House of Representatives by February 1, 2002, on recommended
3 funding levels for the program to facilitate establishment and
4 maintenance of joint-use advanced digital-media research and
5 production facilities as authorized by this act. The report
6 must include options based on different funding levels and
7 information on the number and types of facilities that the
8 organizations estimate could be established under each funding
9 option. The report also must include an assessment of the
10 long-term costs associated with operating the facilities and
11 an assessment of nonstate funding sources that could be
12 accessed to support establishment and maintenance of the
13 facilities.

14 Section 20. Subsections (1), (5), (8), and (11) of
15 section 553.415, Florida Statutes, are amended to read:

16 553.415 Factory-built school buildings.--

17 (1) It is the purpose of this section to provide an
18 alternative procedure for the construction and installation of
19 factory-built school buildings designed or intended for use as
20 school buildings. As used in this section, the term
21 "factory-built school building" means any building designed or
22 intended for use as a school building, which is in whole or in
23 part, manufactured at an offsite facility in compliance with
24 the State Uniform Code for Public Educational Facilities and
25 Department of Education rule, effective on January 5, 2000.
26 After ~~April~~ January 1, 2002, the Uniform Code for Public
27 Educational Facilities shall be incorporated into the Florida
28 Building Code, including specific requirements for Public
29 Educational Facilities and the Department of Education rule,
30 effective on January 5, 2000. For the purpose of this
31 section, factory-built school buildings include prefabricated

1 educational facilities, factory-built educational facilities,
2 and modular-built educational facilities, that are designed to
3 be portable, relocatable, demountable, or reconstructible; are
4 used primarily as classrooms or the components of an entire
5 school; and do not fall under the provisions of ss.
6 320.822-320.862.

7 (5) The department, in accordance with the standards
8 and procedures adopted pursuant to this section and as such
9 standards and procedures may thereafter be modified, shall
10 approve or reject such plans, specifications, and methods of
11 construction. Approval shall not be given unless such plans,
12 specifications, and methods of construction are in compliance
13 with the State Uniform Building Code for Public Educational
14 Facilities and department rule. After April ~~January~~ 1, 2002,
15 the Uniform Code for Public Educational Facilities shall be
16 incorporated into the Florida Building Code, including
17 specific requirements for public educational facilities and
18 department rule.

19 (8) Any amendment to the State Uniform Code for Public
20 Educational Facilities, and after April ~~January~~ 1, 2002, the
21 Florida Building Code, shall become effective 180 days after
22 the amendment is filed with the Secretary of State.
23 Notwithstanding the 180-day delayed effective date, the
24 manufacturer shall submit and obtain a revised approved plan
25 within the 180 days. A revised plan submitted pursuant to
26 this subsection shall be processed as a renewal or revision
27 with appropriate fees. A plan submitted after the period of
28 time provided shall be processed as a new application with
29 appropriate fees.

30 (11) The department shall develop a unique
31 identification label to be affixed to all newly constructed

1 factory-built school buildings and existing factory-built
2 school buildings which have been brought into compliance with
3 the standards for existing "satisfactory" buildings pursuant
4 to chapter 5 of the Uniform Code for Public Educational
5 Facilities, and after ~~April~~ January 1, 2002, the Florida
6 Building Code. The department may charge a fee for issuing
7 such labels. Such labels, bearing the department's name and
8 state seal, shall at a minimum, contain:

9 (a) The name of the manufacturer.

10 (b) The standard plan approval number or alteration
11 number.

12 (c) The date of manufacture or alteration.

13 (d) The serial or other identification number.

14 (e) The following designed-for loads: lbs. per square
15 foot live load; lbs. per square foot floor live load; lbs. per
16 square foot horizontal wind load; and lbs. per square foot
17 wind uplift load.

18 (f) The designed-for flood zone usage.

19 (g) The designed-for wind zone usage.

20 (h) The designed-for enhanced hurricane protection
21 zone usage: yes or no.

22 Section 21. Notwithstanding any other provision in
23 chapter 2001-186, Laws of Florida, the effective date of the
24 following sections of chapter 2001-186, Laws of Florida, is
25 changed to April 1, 2002: sections 25, 26, and 27.

26 Section 22. Notwithstanding any other provision in
27 chapter 2001-186, Laws of Florida, the effective date of the
28 following sections of chapter 2000-141, Laws of Florida, as
29 amended by chapter 2001-186, Laws of Florida, is changed to
30 April 1, 2002: sections 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 13,
31 14, 15, 17, 18, 19, 20, 21, 22, 23, 24, 25, 27, 28, 29, 30,

1 32, 36, 39, 44, 47, 48, 49, 52, 54, 56, 58, 59, 60, 62, 70,
2 71, 72, 75, 79, 81, 84, 86, 87, 88, 91, 92, 93, 94, and 99.

3 Section 23. Notwithstanding any other provision in
4 chapter 2001-186, Laws of Florida, the effective date of the
5 following sections of chapter 98-287, Laws of Florida, as
6 amended by chapter 2000-141, Laws of Florida, as amended by
7 chapter 2001-186, Laws of Florida, is changed to April 1,
8 2002: sections 1, 2, 4,5, 7, 9, 13, 14, 15, 16, 17, 18, 21,
9 24, 29, 31, 32, 34, 36, 38, 40, 44, 46, 47, 49, 51, and 56.

10 Section 24. Notwithstanding any other provision in
11 chapter 2001-186, Laws of Florida, the effective date of
12 section 61 of chapter 98-419, Laws of Florida, as amended by
13 chapter 2000-141, Laws of Florida, as amended by chapter
14 2001-186, Laws of Florida, is changed to April 1, 2002.

15 Section 25. Section 135 of chapter 2000-141, Laws of
16 Florida, as amended by section 37 of chapter 2001-186, Laws of
17 Florida, is amended to read:

18 Section 135. Effective April ~~January~~ 1, 2002
19 subsection (2) of section 255.21, Florida Statutes, paragraphs
20 (d) and (e) of subsection (1) of section 395.1055, Florida
21 Statutes, and subsection (11) of section 553.79, Florida
22 Statutes, are repealed.

23 Section 26. Subsection (2) of section 62 of chapter
24 98-287, Laws of Florida, as amended by section 107 of chapter
25 2000-141, Laws of Florida, as amended by section 38 of chapter
26 2001-186, Laws of Florida, is amended to read:

27 Section 62.

28 (2) Effective April ~~January~~ 1, 2002, all existing
29 local technical amendments to any building code adopted by any
30 local government, except for local ordinances setting forth
31 administrative requirements which are not in conflict with the

1 Florida Building Code, are repealed. Each local government may
2 readopt such amendments pursuant to s. 553.73, Florida
3 Statutes, provided such amendments comply with applicable
4 provisions of the Florida Building Code.

5 Section 27. Section 68 of chapter 98-287, Laws of
6 Florida, as amended by section 108 of chapter 2000-141, Laws
7 of Florida, as amended by section 39 of chapter 2001-186, Laws
8 of Florida, is amended to read:

9 Section 68. Effective April ~~January~~ 1, 2002, parts I,
10 II, and III of chapter 553, Florida Statutes, consisting of
11 sections 553.01, 553.02, 553.03, 553.04, 553.041, 553.05,
12 553.06, 553.07, 553.08, 553.10, 553.11, 553.14, 553.15,
13 553.16, 553.17, 553.18, 553.20, 553.21, 553.22, 553.23,
14 553.24, 553.25, 553.26. 553.27, and 553.28, Florida Statutes,
15 are repealed, section 553.141, Florida Statutes, is
16 transferred and renumbered as section 553.86, Florida
17 Statutes.

18 Section 28. Subsection (1) of section 627.0629,
19 Florida Statutes, as amended by section 99 of chapter
20 2000-141, Laws of Florida, as amended by section 42 of chapter
21 2001-186, Laws of Florida, is amended to read:

22 627.0629 Residential property insurance; rate
23 filings.--

24 (1) A rate filing for residential property insurance
25 must include actuarially reasonable discounts, credits, or
26 other rate differentials, or appropriate reductions in
27 deductibles, for properties on which fixtures or construction
28 techniques demonstrated to reduce the amount of loss in a
29 windstorm have been installed or implemented. The fixtures or
30 construction techniques shall include, but not be limited to,
31 fixtures or construction techniques which enhance roof

1 strength, roof covering performance, roof-to-wall strength,
2 wall-to-floor-to-foundation strength, opening protection, and
3 window, door, and skylight strength. Credits, discounts, or
4 other rate differentials for fixtures and construction
5 techniques which meet the minimum requirements of the Florida
6 Building Code must be included in the rate filing. All
7 insurance companies must make a rate filing which includes the
8 credits, discounts, or other rate differentials by March 31,
9 ~~2003 December 31, 2002.~~

10 Section 29. Rule 9B-3.047, Florida Administrative
11 Code, as it existed before November 28, 2000 is adopted and
12 will remain in force until the effective date of the Florida
13 Building Code as established in this act.

14 Section 30. Notwithstanding the effective date of
15 section 25 of chapter 2001-186, Laws of Florida, any building
16 permit for which an application is submitted before the
17 effective date of the Florida Building Code is governed by the
18 state minimum building code in effect in the permitting
19 jurisdiction on the date of the application for the permitted
20 work for the life of the permit and any extension of time
21 granted thereto.

22 Section 31. Local jurisdictions bisected or otherwise
23 divided by a line separating wind speed zones, as determined
24 by the American Society of Civil Engineers, Standard 7, 1998
25 edition as implemented by the International Building Code,
26 2000 edition, and as modified by the Florida Building
27 Commission in the Florida Building Code that becomes effective
28 pursuant to this act, must by January 1, 2002, enact an
29 ordinance specifying the exact location of wind speed lines,
30 using recognized physical landmarks such as major roads,
31 canals, rivers, and lake shores, wherever possible.

1 Section 32. The Florida Tourism Marketing Corporation
2 and its contractors must make every effort to give priority to
3 Florida-based and minority-owned vendors, subcontractors, and
4 production companies when expending public funds for their
5 tourism-promotion activities.

6 Section 33. Except as otherwise provided in this act,
7 this act shall take effect upon becoming a law.

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1 STATEMENT OF SUBSTANTIAL CHANGES CONTAINED IN
2 COMMITTEE SUBSTITUTE FOR
3 SB 30-B

4 The committee substitute replaces the original bill and
5 includes the following provisions:

- 6 1) Capital Investment Tax Credit: Temporarily broadens the
7 eligibility criteria and award structure of the Capital
8 Investment Tax Credit Program. Under the expanded
9 criteria, qualifying economic stimulus businesses are
eligible if they apply by April 1, 2002, for projects
that begin construction by December 31, 2002.
- 10 2) Economic Development Trust Fund: Amends the budgeting
11 process for the Qualified Defense Contractors (QDC) and
Qualified Target Industry (QTI) tax refund programs.
- 12 3) Tax refund for Qualified Defense Contractors (QDC) and
13 Aviation-Industry Businesses: Creates a tax refund
14 program for qualified aviation-industry businesses
15 similar to the current QDC program, expands the existing
16 program's refund-prorating provisions for participating
firms, and temporarily allows firms that fail to meet
agreed targets to request an exemption from losing tax
refunds or certifications to remain in the program.
- 17 4) Tax Refund Program for Qualified Target Industry (QTI)
18 Businesses: Expands the QTI program's refund-prorating
19 provisions for participating firms, temporarily allows
20 firms that fail to meet agreed targets to request an
21 exemption from losing tax refunds or certifications to
remain in the program, and improves the efficiency of the
budgeting process for the QTI program.
- 22 5) Extended Homeownership Assistance Program: Expands
23 eligibility of no-interest loans for home mortgage down
24 payments and closing costs to include families earning at
25 least 150 percent of the state or county median income
and limits loan amounts to 10 percent of the home's
value.
- 26 6) Small Business Crisis Management Team: Directs Enterprise
27 Florida, Inc., to create a Small Business Crisis
28 Management Team that can be activated quickly, for
29 temporary periods of time, to assist small businesses in
the state during periods of economic crisis or sustained
economic weakness.
- 30 7) Florida Airport Authority Act: Requires each county with
31 a population of more than 2.1 million people to conduct a
countywide referendum, giving voters the opportunity to
approve the creation of an airport authority. If such

- 1 creation is approved by voters, the committee substitute
2 provides for the establishment and operation of the
3 airport authority.
- 4 8) Emerging and Strategic Technologies: Provides policies to
5 promote a business climate in the state conducive to the
6 growth of high-technology businesses by encouraging
7 increased access to capital and skilled workers, by
8 including economic development within the mission of the
9 postsecondary education system, and by specifically
10 including the information-technology industry within the
11 scope of certain existing economic development incentive
12 programs.
- 13 9) Florida Building Code: Delays the effective date of the
14 new Florida Building Code by 3 months, from January 1,
15 2002, to April 1, 2002, and makes related changes to the
16 code.
- 17 10) Tourism Promotion: Requires the Florida Tourism Industry
18 Marketing Corporation to make every effort to give
19 priority to Florida-based and minority-owned vendors when
20 expending public funds for tourism promotion.
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